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The

Australasian Catholic Record

A Quarterly Publication under Ecclesiastical Sanction

"Pro Ecclesia Dei." *St. Augustine.*

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THOMAS HARRINGTON
CENSOR DEPUTATUS.

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1ª die Januarii, 1959.

In Memoriam

Summi Pontificis Pii XII
inter magnos Petri successores vere praeclari
qui
veritatem faciens in caritate
pluribus editis documentis et allocutionibus habitis
doctrinam catholicam maxime illustravit:
qui
saevissimo bello populos vexante
pacis conciliator Urbis defensor lugentium consolator
indefatigabili cura extitit:
qui
privilegium Mariae Virginis in caelum assumptae
infallibili oraculo sanxit
serpentes errores compescuit aberrantesque
ad sinum Ecclesiae vocavit:
qui
incensa sua pietate, mentis magnitudine,
linguarum fere pentecostali dono,
affabili erga singulos homines affectu
omnium sibi devinxit animos.

In pontificatu vixit annos xix, menses septem, dies septem. Curis et laboribus fractus a. d. vii id. Oct. a. MCMLVIII,
piissime obiit.
Sit in pace locus eius
et habitatio eius in sancta Sion.

IOANNI P.P. XXIII

Pontificatum Romanum gloriose auspicanti
omnes ad mite et humile Redemptoris Cor vocanti
pastoralis studii imprimis sollicito
utriusque Ioannis Baptistae et Evangelistae
cultori eximio
Caroli Borromaei episcoporum exemplaris
devotissimo clienti
qui
in ipsius pontificatus limine professus est

se non tam publicarum rerum scientiae fidere
nec rerum diplomaticarum peritiae
nec summae cognitionum varietati
neque in ordinanda communi vita prudentiae
nec demum progredientis aetatis incrementis
quam potius Boni Pastoris sequelae
dum ante omnia cordi habet
tamquam universi gregis Pastorem se gerere

eidem Summo Pontifici et Universali Papae
Petri in sede successori
Christi Domini in terris Vicario
administratores et lectores periodicorum
quibus titulus "Australasian Catholic Record"
fidele et humile obsequium offerunt
Deum Optimum Maximum supplicantes
ut "Ecclesia potenti Eius moderatione directa
et incrementa libertatis accipiat
et in religionis integritate persistat"

Official Documents

Acceptance of the Supreme Pontificate by Cardinal Angelo Giuseppe Roncalli, after his election in the Sixtine Chapel, Tuesday, Oct. 28, 1958.

To the question of the Cardinal Dean of the Sacred College the Pope Elect replied:

"Audiens verba tua 'tremens factus sum ego et timeo.' Ea quae scio de mea paupertate et vilitate sufficiunt ad meam confusionem.

"Sed cum videam in votis Fratrum meorum Eminentissimorum sanctae Romanae Ecclesiae Cardinalium signum voluntatis Dei, accepto electionem ab ipsis factam: et caput meum et dorsum meum inclino ad calicem amaritudinis et ad patientiam Crucis.

"In sollemnitate Christi Regis cantavimus omnes: 'Dominus iudex noster: Dominus legifer noster: Dominus Rex noster.' Ipse salvabit nos."

The Holy Father's first Allocution to the Cardinals on assuming the name JOHN, was as follows:

I shall be called JOHN. That name is sweet to Us, because it was the name of Our father; it is also sweet to Us because John was the titular Saint of the humble parish in which We received baptism. It is the solemn name of innumerable Cathedrals throughout the whole world and above all of the sacrosanct Lateran Basilica, Our Cathedral. It is a name which in the ancient series of the Roman Pontiffs outnumbers all others—it has a primacy of plurality. The number of Pontiffs counted under the name of John, outside of discussions of legitimacy, is twenty-two. Nearly all had brief pontificates. We prefer to cover the smallness of Our name with this magnificent succession of Roman Pontiffs.

And did not St. Mark also, the glory and protector of Our beloved Venetian people, whom St. Peter, prince of the apostles and first Bishop of the Roman Church, loved as his own son—did he also not bear the praenomen John?

But the name John is especially dear to Us and to the whole Church, because it was borne by two men who were and are most intimately close to Christ our Lord, Who is the Divine Redeemer of the whole world and the Founder of the Church.

John the Baptist was the Precursor of our Lord. John was certainly not the light himself, but he bore witness to the light;

and his was truly an invincible testimony of truth, justice and liberty in his preaching, in his baptism of penance, in his shedding of his blood.

And the other John, disciple and evangelist, was supremely loved by Christ and His most sweet Mother. He rested on the breast of our Lord at the supper, and from His Heart he drew that charity of which he was, to extreme old age, a living and apostolic flame.

God grant that John the Baptist and John the Evangelist may both make their voices heard in the whole Church through Our humble ministry of Pastor. Our ministry succeeds that which Our immediate Predecessor of immortal memory Pius XII exercised so well; it succeeds the ministries of other Roman Pontiffs whose praise is splendidly great in the Church. May Our word cry out to clergy and people, for by it We desire "to prepare for the Lord a perfect people and to make ways straight, so that the crooked ways may be straightened out and the rough ways made smooth" (Lk. 3:4-6).

May John the Evangelist, who, as he himself attests, took Mary the Mother of Christ and our Mother to his home, follow up with favour, together with her, the same exhortation, which concerns the life and joy of the Church Catholic and Apostolic, and concerns, moreover, the prosperity of the whole world.

"My little children, love one another; love one another, for this is the commandment of the Lord."

May God in His goodness grant that, as the first Pope in the series that carried this name of John was marked by great sanctity of life and glorious martyrdom—so may God grant, Venerable Brethren, that We who carry his great name may shine with the same sanctity and fortitude of soul, even to the shedding of blood, should it please the Lord, and with the help of His grace.

FIRST RADIO MESSAGE

"URBI ET ORBI"

of the newly-elected Pope John XXIII.

October 29, 1958.

This hour of trepidation, in which, by the mysterious will of the all-provident God, the heavy burden of the Supreme Pontificate, following the death of Our Predecessor Pius XII of immortal memory and illustrious merits towards the Catholic

Church, has been laid upon Us—this hour, We say, oppresses and almost breaks Our courage. Consequently, We lift up Our heart in suppliant prayer to God, that in His infinite goodness He may give strength to Our weakness and powerlessness, illumine Our mind, and give vigour to Our will.

Our next thought goes to Our beloved sons of the Sacred College. With great affection We embrace Our dear Cardinals, knowing the splendid gifts and virtues that adorn them. Our heart goes especially to those whose absence We so much regret, and whose sufferings and sorrows We share in intimate sympathy.

Our paternal benevolence and charity go in the next place to Our Venerable Brethren in the Episcopate, who labour so valiantly throughout the world in the vineyard of the Lord.

We cannot but offer a word also to the priests who are dispensers of the mysteries of God, particularly, to the Missionaries who, as heralds of God's word, spare no labour in spreading the truth of the Gospel in distant lands; to the Religious men and women, likewise, whose work for the Church is a splendid pattern of ardent zeal; also to those members of the laity who, under the lead of the Bishops, soldier in the peaceful cohorts of Catholic Action, and to all other helpers of the hierarchical apostolate—all and each We bless with effusion of heart.

For all, finally, whom We call Our children in Christ, for those, especially, who have to bear poverty or suffering, We beg of God an abundance of necessary helps and divine consolations.

Amongst these Our children We must mention as particularly dear to Us the faithful of the Venetian Province, amongst whom We exercised Our pastoral office, and those of the diocese of Bergamo where We were born. Although We are now removed from them by distance, We are present and always shall be present with them in the charity of Jesus Christ. We are greatly confident that their prayers, joined to Ours, will go up to God and bring down all kinds of heavenly graces.

Most of all, Our mind and heart go out to the Bishops, Priests, Religious and Faithful who are living in those nations where no liberty or only very little liberty is granted to the Catholic religion; where the sacred rights of the Church are ruthlessly trampled upon; where the lawful Pastors of the Church are either expelled or imprisoned or so impeded that

they cannot freely exercise their ministry. We want all these to know that We share with them in their sorrows, trials and afflictions, and that We implore God the Giver of all good things to hasten the day when these inhuman barbarities will end. Such, indeed, they are, being not only opposed to genuine peace and prosperity but also to modern civilisation and its acquired human rights—rights which for long have ruled the course of human well-being. May God give light to the minds of those who rule those nations; may He forgive the persecutors; may He grant to all who enjoy lawful liberty better and happier times.

With equal warmth of charity We embrace the whole Church of West and East. And to all those, likewise, who are separated from this Apostolic See, where Peter in his Successors lives on "to the end of the ages" (Mt. 28:20) and fulfils the charge of Christ "to bind and loose on earth" (Mt. 16:19), and to feed the whole flock of the Lord—to them, We say, We open widely Our heart of love and We hold our arms opened wide. As We await their coming to the house of the Common Father, We repeat again and again those words of the Divine Redeemer: "Holy Father, keep them in thy name whom thou hast given me, that they may be one, as we also are" (Jn. 17:11). For thus there will come to be "one fold and one shepherd" (Jn. 10:16). Let them come, therefore, all of them (so we beseech them), let them come willingly and gladly; and may this happen very soon by the inspiration and help of grace. It is not a strange house that they shall come to, but their own home, a house which of old was adorned with the great treasures of doctrine taught by their forebears and with the virtues of their ancient saints.

In an hour like this, it is surely right that We address an appeal to the rulers of all nations, in whose hands the destinies, the fortunes and the hopes of the various peoples are placed. Why are not dissensions and discords being settled at last in the balance of equity? Why are the powers of human genius and the resources of nature being more frequently used for the making of arms—pernicious instruments of death and destruction —why are they not rather being turned to increase the prosperity of all orders of society, especially of those who are most impoverished? We know, of course, that in the way of such a laudable and desirable hope—in the way of realizing this happy aim—there are mighty and intricate difficulties. But the difficulties should be met and overcome. The effort and the

victory are something that involves an issue of utmost importance, an issue closely connected with the prosperity of the whole human race. Men of government should set to work, then, with courage and confidence, seeking the light which is from above and the help that comes from heaven. Turn your eyes to the peoples entrusted to you and listen to their voice. What are they asking; what are they demanding of you? Certainly not those monstrous engines of war, which our age has invented. These can be the cause of fratricidal slaughter and of universal ruin; it is peace they all are looking for. We speak of the peace whereby the whole human family may live, and thrive, and flourish in liberty. It is justice all peoples are looking for, the justice whereby the various classes will eventually find their mutual rights and duties composed in an equitable solution; what people are seeking is, in fine, such tranquillity and concord as will promote true prosperity. It is really in peace, provided it be founded on the lawful rights of each and every man, and nourished by charity, that the arts of civilization flourish, human energies unite in producing what is good, public and private prosperity increases. In this sense many sayings of great minds may be quoted. "Peace," said St. Augustine, is "the well-ordered concord of men" (*De civ. Dei*, 19, 13); it is"the tranquillity of order" (ibid.; S.T. 2-2; 29, 1 ad primam); "the name of peace is sweet, and what it conveys is a salutary thing; but between peace and slavery there is an immense difference. True peace is tranquil liberty" (Cic. Philipp. 2, 24).

It is necessary to recall and reconsider attentively what the Angels sang over the cradle of the Divine Infant: "Glory to God in the highest heavens, and on earth peace to men of good will" (Lk. 2:14). Real peace is not given to individuals, peoples, nations, unless it first comes into their souls. There cannot be exterior peace, unless it reflects interior peace and is controlled by it. Without interior peace everything is unsteady and threatens to fall. Consequently, religion alone can nourish, strengthen, consolidate peace. Let those who reject the name of God remember this—those who trample on His sacred rights, those who ruthlessly strive to tear piety from the hearts of the people.

In this grave hour, We repeat to you the words and promises of the Divine Redeemer: "My peace I leave you, my peace I give you" (Jn. 14:27). And as a pledge of this true and

perfect peace and of all other heavenly gifts, We impart with all affection of charity the Apostolic Blessing, URBI ET ORBI.

HOMILY

Delivered by the Supreme Pontiff, John XXIII, on the day of his coronation, Nov. 4, 1958.

Venerable Brethren: Cardinals of the Holy Roman Church, Archbishops and Bishops, whether actually present or assisting in spirit at these solemn ceremonies which are being celebrated to inaugurate Our Pontificate and consecrate the imposition on Our humble person of the undeserved papal dignity, together with the tremendous responsibility of its duties—likewise you, each and all, of every state and class in life, whom throughout the whole catholic world We henceforth call Our dearly beloved children, you, namely, who in the midst of the thousand cares and interests of this temporal life, do not forget the spiritual riches of eternity, which are chief and primary—all universally, and each of you, We greet to-day with the deep and tender love of a father.

It is at the great memorial shrine of the Prince of the Apostles that we are gathered, just when his exalted office has been entrusted to Us as his Successor. It is a memorable hour, and the voice of Peter travelling down the centuries reaches Us, and together with it We are pleased to hear the voices of the two Saints John, who were so close to Christ, and whose sweet and honoured name We were pleased to take.

In these days so full of mysterious events and of trepidation, We have given, of course, attentive ear to the voices that have been coming in countless numbers from every part of the earth. On the one hand We received comfort and encouragement from the many expressions of common joy and gladness that greeted Our exaltation to the Supreme Pontificate; on the other hand, however, anxiety and perplexity invaded Our mind, as We considered the variety of formidable duties that have fallen as a heavy burden on Our shoulders. Men conceive those duties differently and define them differently, each according to his way of thinking, according to his experience, according to his view of personal and social life. Some, indeed, expect the Pontiff to be a statesman, some would desire him to be a skilful diplomat, some a scholar, some an administrator and organizer, or a man

whose mind is entirely open and sympathetic to all the trends of modern life.

But, it must be said, Venerable Brethren and beloved children, all these views miss the point. They do not imagine the Supreme Pontiff according to the true ideal.

The fact is that the new Pontiff, by the very pattern of his life, may be compared to that son of the Patriarch Jacob, who, in receiving his brothers as they stood in tribulation and trepidation before him, showed the tenderness of his heart, as he burst into tears and said: " I am . . . Joseph, your brother" (Gen. 45:4). The new Pontiff, We say, must first of all realize that splendid image depicted in the Gospel. That is St. John's word-image of the Good Shepherd, as the Evangelist gave it to us from the mouth of the Divine Saviour Himself (Jn. 10:1-21). He is the door of the sheepfold, for He said: "I am the door of the sheep" (Jn. 10:7).

Into this fold of Christ no one can enter except under the lead of the Supreme Pontiff; and men can be sure that they are following the way of salvation, only when they are joined to him, for the Roman Pontiff is the Vicar of Christ and represents His Person on this earth. How sweet and consoling it is to call to mind the image of the Good Shepherd, as He is described in the Gospel with such exquisite and attractive words.

Venerable Brethren and beloved children, We are repeating and making Our own that meaningful word, which the Roman Pontiffs of all centuries, and particularly Our immediate Predecessor of immortal memory, Pius XII, set in such clear light. Insisting upon it most emphatically, We declare that We have at heart in a special manner to regard Ourselves as the Shepherd of the universal flock. All other human accomplishments and praiseworthy qualities — learning, administrative ability, diplomatic skill, organizing talent or genius—can indeed embellish the pastoral office and give it lustre, but they cannot be a substitute for its essential character.

The central point in the office of Shepherd is the zeal of the Good Shepherd and his solicitude. He is ready to undertake the most difficult things: he is distinguished by prudence, rectitude, constancy and does not flinch before the supreme sacrifice: "The Good Shepherd gives his life for his sheep" (Jn. 10:11). What a beautiful sight the Church of Christ is, the sheepfold! The shepherd goes before the flock, and all follow

him. In order to defend them, he is not afraid to face the attacks of the wolf.

But the horizon broadens: "Other sheep I have that are not of this fold; them also I must bring and they shall hear my voice and there shall be one fold and one shepherd" (ibid. 10:16). In these words you see the missionary task set forth in all its vastness and nobility. This is the primary solicitude of the Roman Pontiff, but not the only one; to it are joined other cares of no lesser importance.

But of greater importance than action itself is the spirit and motive of our activity. Every pontificate takes some characteristic features from the Pontiff who bears it. The face of his pontificate is, as it were, his own. This, however, should be clearly grasped, that all the features of all the Roman Pontiffs, who succeeded each other down through the centuries, are reflected or rather should be reflected in the face of Christ, the Divine Master, Who walked this earth with the dominant purpose of spreading His heavenly teaching and the light of His wonderful example.

Now, the main point on which this divine instruction and precept hinges is summarily set in the evangelical words: "Learn of me, for I am meek and humble of heart" (Mt. 11:29). The law of gentleness and humility is, indeed, a great law. All you who throughout the whole world are pious and "fervent in spirit" (Rom. 12:11), pray assiduously, We beg you, to God, for your Pope, with express intention of asking that he may continually advance more and more in the perfection of gentleness and humility. We are quite sure that untold results will follow from the exercise of this virtue—that is to say, if such is the way of the Father of all the faithful, at all times, results will accrue abundantly even in the order of human relations that belong to the social and earthly sphere.

Let Us be permitted, finally, Venerable Brethren of the Sacred College and of the Episcopate, and beloved sons, priests and faithful, to draw your attention to something which gives Us most special pleasure. Note that this celebration happily falls on a day which touches Our soul of priest and Bishop most intimately.

On this festive day of November 4, on which the anniversary of the coronation of the Supreme Pontiff will fall, the Universal Church, in its annual liturgy, will be celebrating the solemn feast of St. Charles Borromeo. The figure of this Archbishop of

Milan, who is justly remembered amongst the greatest Pastors of souls in any age, has always been very close to Our thoughts and affections. It was beside the very precious relic of his heart, venerated in Rome, in the Church dedicated to him, that We received episcopal consecration thirty-four years ago.

You know that the Church of God, with the changing of the years has sometimes declined in vigour, and again renewed its youthful strength. In one of such periods of decline, when ecclesiastical order had slipped and needed restoration, Providence reserved for St. Charles Borromeo the lofty task of contributing in an exceptional way to the restoration of order in the Church. The part he played in putting into practice the reforms of the Council of Trent, and the example he gave in applying those reforms in Milan and in various other dioceses of Italy, earned for him the glorious title: "Magister Episcoporum" (Teacher of Bishops). He was also a counsellor of Popes, and a wonderful example of episcopal sanctity.

During the ceremonies of the solemn rite of Papal Coronation, it is permitted to insert in a special Litany the names of some saints to whom the new Pontiff has special devotion. Accordingly, when the invocation: "Sancte Carole, tu illum adjuva" was chanted, you, doubtless, stirred up the flame of piety in your prayer as you joined in answering this invocation. By the help of such fervent prayer St. Charles will obtain for Us an abundance of heavenly favours. He is Our Patron, the Protector through whom We confidently hope to obtain grace and strength in the present and in the future. Amen.

NOTE

The long document from the Sacred Congregation of Rites, which regulates the different forms of participation in the Liturgy and many other things, is summarized elsewhere in this issue. A complete translation will be published soon as a separate booklet.

W. LEONARD.

St. Patrick's College, Manly.

The Date Of The Last Supper: A New Hypothesis

Summary:

A recent work on the Date of the Last Supper ranges over many fields, apocryphal literature, Dead Sea material, Fathers and early liturgies, Gospel account of the Passion. Book of Jubilees, backed by literature of Qumran, proves existence of a liturgical calendar different from the "official." Its priestly origin.

Christ, following this calendar, ate the Last Supper on Tuesday evening. Support for this view in Christian tradition, and origin of Thursday evening tradition. Hypothesis receives some support from Gospel narrative, reconciling Johannine and Synoptic chronology, allowing reasonable time for complete sequence of events.

Denials of Peter seem to stand against it. Where did they take place, and when? A proposed detailed chronology. This chronology was obscured when primitive catechesis passed into regions ignorant of the Tuesday night Pasch.

It is only rarely that the work of a woman scholar arouses as much interest as that of Mlle. Annie Jaubert. Doubtless, her privileged position as the only woman 'old boy' of the Ecole Biblique of Jerusalem and Assistante at the Sorbonne was a useful introduction in fields often regarded as a strictly male preserve. But her recent book on the Date of the Last Supper[1] has attracted the attention of many scholars. Their reactions have ranged from enthusiastic acceptance of her conclusions to almost complete and rather emotional rejection. Hardly one, however, can deny that her book is all that she modestly claims for it—"an invitation to research," and it has already led the specialists to accept her invitation, or take up her challenge, to "test, in their own field, the solidity of the hypothesis, and to reply to the new question marks which arise at each step of the study."

There are a number of such fields, for her study begins with the apocryphal book of Jubilees and the material from Qumran, enters its most interesting phase in the Gospel narrative of the Sacred Passion, and considers at length the early liturgies and the Fathers. The book is substantially a reproduction of three articles which had already appeared.[2] There are three Appendices, as well as three folding sheets, two of them devoted

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[1]La Date De La Cene. Calendrier Biblique et Liturgie Chretienne. *Etudes Bibliques.* Paris, 1957.

[2]Le Calendrier des Jubiles et de la Secte de Qumran. Ses Origines Bibliques, in *Vetus Testamentum,* III (1953), 250-264.

La Date de la Derniere Cene, in *Revue de l'Histoire des Religions,* CXLVI (1954), 140-173.

Le Calendrier des Jubiles et les Jours Liturgiques de la Semaine. *Vetus Testamentum,* VII (1957), 35-61.

to a concordance of the Gospel of the Passion in the light of the hypothesis she proposes.

THE CALENDAR OF JUBILEES AND QUMRAN

The first and longest part of the book is concerned with the existence and utilisation of an ancient Jewish calendar. The apocryphal book of Jubilees, fixed in its present state in the last decades of the second century B.C., sufficed of itself to demonstrate the existence of this calendar. Research on it was stimulated, though, by the realization of the capital importance of this book for the community of Qumran. Portions of at least nine copies of the Book of Jubilees in Hebrew have been found there. The Manual of Discipline shows that this calendar was that of the community.

The calendar divides a year of 364 days into four equal quarters of 13 weeks of seven days. The first two months of each quarter are of 30 days, the third of 31. There is no evidence as to how the difference of roughly $1\frac{1}{4}$ days between this calendar and the solar calendar was made good. Jaubert suggests an intercalation of 35 days every 28 years.

Such a calendar provides an admirable regularity for any liturgical cycle whose feasts are calculated by the day of the month. Each quarter will begin on the same day of the week, and once the first day of the year is determined the day of the week on which each such feast fell can easily be computed. A work of Father Barthelemy, O.P.,[3] showed that the first day of the year was Wednesday. In this calendar, then, the feast of the Pasch, the fifteenth day of the first month,[4] will also fall on a Wednesday, and the Paschal meal be eaten on Tuesday evening.

What was the origin of this calendar?

The book of Jubilees and the community of Qumran regarded their retention of this calendar as a measure of their fidelity to the law of Moses, for it had been imposed by him, and to abandon it was to 'walk in the way of the Gentiles,'[5] something as bad as 'to eat blood.' What was the reason for their fiercely uncompromising attitude?

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[3]Notes en Marge de Publications Recentes sur les Manuscrits de Qumran, *Revue Biblique*, LIX (1952), 199-203.

[4]*Lev.* 23, 5; *Deut.* 16, 8.

[5]*Jubilees*, 6, 35; 6, 38. Text in R. H. Charles, *The Apocrypha and Pseudepigrapha of the Old Testament*, Oxford, 1913.

Jaubert sets out to show that it was a traditional calendar, which had its origin in sacerdotal circles at least in Exilic times. Finally, a group of priests were obliged to detach themselves from the Temple worship which had abandoned it in a compromise with the Hellenistic calendar based on a lunar computation, by reason of their fidelity to the calendar of the book of Jubilees. This was one motive for the separation of the community of Qumran from official Judaism.

If this calendar is really an ancient priestly tradition, one might expect to detect some signs of it in those parts of the O.T. ascribed by literary critics to the priestly school. In her examination of them, Jaubert arrives at some interesting conclusions. Converting the numbered days of numbered months in the Pentateuch[6] into days of the week, one finds that arrivals take place on Fridays, nobody travels on the Sabbath, journeys begin on Sunday, the day after the Sabbath.[7] Similar results are obtained from an examination of the books of Paralipomena, Esdras, Nehemias and Ezechiel. This is a negative test, but the calendar of Jubilees and Qumran would suit these passages ideally.

We know that this calendar was followed in the closed community of Qumran. To what extent it was followed in other circles we do not know. There may even have been some who adopted a via media, adapting themselves to the phases of the moon, yet celebrating feasts every year on the same day of the week. Of this much, though, we are certain—at the beginning of the first century there were in existence two liturgical calendars. In one, feasts were celebrated on the day of the lunar month. This was the official calendar about which we learn from later Rabbinical Judaism.[8] In the other, feasts fell on a fixed day of the week. Our information concerning it is drawn from the Qumran material, the Manual of Discipline, the Damascus Document, from the book of Jubilees. This is the only type of the latter we find documented, but it is probable

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[6]*Gen.* 7, 11; 8, 4; 8, 5, 13, 14; *Ex.* 12, 3, 31-51; 16, 1; 40, 1-17; *Num.* 1, 1; 9, 11; 10, 11; 33, 38; *Deut.* 1, 3. To these can be added *Jos.* 4, 19.

[7]Even the ark comes to rest on a Friday (*Gen.* 8, 4).

[8]Ample material on the Jewish calendar, the manner in which days and months were computed, intercalation of days can be found in Holmeister, *Chronologia Vitae Christi*, Rome, 1933, 180-194.

that there were mitigated forms trying to keep something both of the official and the sacerdotal calendar.

THE NEW HYPOTHESIS ON THE DATE OF THE LAST SUPPER

(a) *The Hypothesis Stated*

Jaubert's hypothesis is this: *Christ ate the Last Supper on Tuesday evening.* In so doing He followed an ancient calendar, opposed to the 'official' calendar, which celebrated the Pasch on a day of the week which varied from year to year, and which fell on a Saturday in the year of Christ's death. The 'official' calendar was observed by the priests who engineered His death, and who ate their Paschal Supper on Friday night.

(b) *Its Support in Christian Tradition*

What is it that justifies such a hypothesis? Even granting the existence of two calendars, have we any reason to believe that Christ followed that particular calendar? Actually, there are early Christian documents which preserve a tradition that Christ ate the Paschal Supper on Tuesday night. The Didascalia Apostolorum, a Christian compilation of the third or second century of previously existing elements, asserts in three different contexts that Christ ate the Pasch on Tuesday, was delivered on Wednesday, and crucified on Friday.[9] Similar testimony is found in Epiphanius.[10] Though he knows the Didascalia he does not seem dependent on it for his knowledge of this tradition. What is more, he knows of the Thursday night tradition, and protests against it.[11] Victorinus of Pettau in Syria (Pannonia), who died in 304, in whom there is no sign of the influence of the Didascalia, knows and accepts the tradition of a Wednesday arrest.[12]

The tradition common to Victorinus and the Didascalia must be earlier than either of them. If we date the Didascalia from the beginning of the third century this tradition must have existed during the second century. Internal indications point to a Judaeo-Christian origin of this tradition.

(c) *Origin of Thursday Night Tradition*

At what moment does the tradition of the Last Supper on the eve of the death of Christ appear?

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[9]*Didascalia Apostolorum,* c. 21; 14, 4-9; 14, 18-20; 17, 7-8.

[10]The texts more readily available are *Adversus Haereses,* II, 51, 26 in Migne, *PG* XLI, 933ff, *Expositio Fidei,* XXII, *PG.* XLII, 825f.

[11]In a fragment published in 1927, cited by Jaubert, p. 88.

[12]*Tractatus de Fabrica Mundi,* III. Migne, *PL.* V, 304f.

The first allusion to the Last Supper is that of St. Paul, who speaks only of 'the night when He was being betrayed.'[13] These are the terms of the most ancient tradition we have, and they do not speak of the eve of His death. Practically the same terms are used in the earliest liturgies, the Apostolic Tradition of Hippolytus, the Testament of Our Lord Jesus Christ, the Apostolic Constitutions.[14] The Roman liturgy has the phrase 'pridie quam pateretur.'[15] Yet there is no commemoration of the Last Supper on Holy Thursday before the latter half of the fourth century.[16]

But if it is relatively late that liturgical sources attest a Thursday night tradition, ecclesiastical writers provide at least allusions to it from the second half of the second century.[17] From as early as 165 this was regarded as the natural exegetical consequence of Christ's having died on Friday, it appears as a deduction from the Gospel text rather than as a tradition received from earlier ages.

CHRONOLOGY OF GOSPEL NARRATIVE OF THE PASSION

Is there any possibility of reconciling the Tuesday night Supper with the Gospel text? This question is treated in the third and most interesting part of the book.

(a) *Johannine or Synoptic Chronology?*

From the middle of the second century exegetes have grappled with the chronological problems arising from a conflict of detail between the Johannine and the Synoptic narrative of the Passion. Both the Synoptic and the Johannine tradition are

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[13] *I Cor.* II, 23.

[14] *Apostolic Tradition,* edited by Dix, p. 8.
Testament of Our Lord Jesus Christ, edited by Rahmani, 41 (both cited by Jaubert p. 94).
Apostolic Constitutions, VIII, 12. Vol. XVII of *Ante-Nicene Christian Library,* edited by Roberts and Donaldson, Edinburgh, 1870, p. 231.

[15] "Pateretur" in the Canon of the Latin Mass refers to the death of Christ. It is taken from Lk. 22, 15, in which Christ chose the phrase to signify His approaching death, and it was used in the same sense by the Fathers and the liturgy. " 'Pridie quam pateretur' is a secondary inference from the Gospel text in a society wherein already the day begins in the morning." Cf. A review of Jaubert's book by Patrick W. Skehan in *The Catholic Biblical Quarterly,* XX (1958), esp. p. 198.

[16] A decree of the third Council of Carthage regulates the Eucharistic fast except on the anniversary when the Lord's Supper is celebrated. Cf. St. Augustine, *ep. LIV ad Januarium,* translated in *The Fathers of the Church,* New York, vol. 12, 256f.

[17] Clement of Alexandria, *PG.* IX, 757f.
Irenaeus, *Adversus Haereses,* II, 22, 3. (Jaubert, p. 96).

in accord that Christ died on Friday.[18] But for John, Christ is delivered to the Jews on the eve of the Pasch.[19] The Pasch was then on Saturday. In the Synoptic narrative, Christ is delivered into the hands of His enemies on the night that He takes a meal that has the appearances of the Paschal Supper.[20] The Pasch, then, seems to be on Friday. Yet the Synoptics themselves mention incidents which indicate activity which, according to the Mishna at least, were proscribed during the feast.[21]

The solutions the exegetes have proposed to this problem have been many, varied and ingenious.[22] They fall into three categories according as they opt for the Synoptic Friday Pasch, the Johannine Saturday Pasch, or talk of two different dates followed by different groups. Some had even proposed as the reason for this a divergence in the calendar followed.[23] This had no documentary backing, it had never been shown that any group within the Jewish nation at the time of Christ had followed a calendar differing from the official one. In our times it has been shown that this was the case with the community of Qumran.

If we apply the tradition conserved in the Didascalia to the Gospel narratives, the conflict between John and the Synoptics is resolved. For then Christ would have celebrated the Pasch on Tuesday evening, the eve of the Pasch in the ancient sacerdotal calendar. Arrested on the night of Tuesday-Wednesday, He died on Friday, the eve of the Pasch in the official calendar.

The two Paschs would have been separated at a distance of three days.[24] In the Synoptic Gospels the Pasch referred to is that of the ancient calendar. In the circles for which they were written this would have been understood. St. John, on the other hand, wrote for a Hellenistic audience and it is probable that the only Pasch known in the Diaspora was that of the 15th of the lunar month. Again, John's interest in showing Christ as

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[18]*Mt.* 27, 62; *Mk.* 15, 42; *Lk.* 23, 54; *Jn.* 19, 31.

[19]*Jn.* 19, 14.

[20]*Mt.* 26, 17-19; *Mk.* 14, 12-16; *Lk.* 22, 7-15.

[21]E.g. Judicial acts, preparation of materials for anointing (*Lk.* 23, 56), the carrying of arms (*Mt.* 26, 47, 51).

[22]For a summary of these solutions there is no need to go further than the well-known manual of Simon-Dorado, 7 ed., 1947, 878-882.

[23]Cf. Lagrange, *Evangile selon Saint Marc*, 4 ed., Paris, 1947, 362.

[24]That the days differed by so little on this occasion may be due purely to chance, or else to the fact that a via media between the two calendars had been adopted, which would have adapted the strict priestly calendar to the phases of the moon, but kept to the same day of the week for liturgical feasts. Cf. Jaubert, 58.

instituting the worship of God 'in spirit and in truth' would lead him to make the most of the replacement by the sacrifice of Christ of the sacrifices of the Temple.

What we have, then, is not a conflict of chronologies but two different points of view. It is not a question of either-or; we may have both. But this would provide a very interesting reason for later Paschal controversies, in which both parties insisted that they were following an apostolic tradition. Pope Victor insisted on a fixed day of the week, the Christians of Asia Minor followed a changing day, fixed as the fourteenth of the month.

Another problem of Gospel chronology that Jaubert thinks her hypothesis would solve is that of the date of the anointing at Bethany, which St. John places six days before the Pasch, while St. Matthew and St. Mark place it just after a mention that the Pasch was to take place 'after two days.'[25] According to the sense given to this text, and counting from the Tuesday Pasch the anointing will be placed on Sunday, or even, Jaubert thinks, on Saturday, the same day as would be arrived at calculating six days from the Friday Pasch of John.

(*b*) *The Time-Element in the Gospel Narrative*

The difficulty remains that the Gospels do not seem to have preserved any memory of the three days of the Passion. But there is one question that arises obviously from the Gospel account. If Christ was arrested the evening before He was crucified, how could so many events take place in the time between arrest and crucifixion? Considering the Synoptic Gospels alone:

i—The Appearance Before the Sanhedrin.

"Then were gathered together all the high priests, the ancients and the scribes,"[26] "the entire Sanhedrin."[27] They seek for witnesses and find none. Nonetheless, there are many depositions, which do not accord with one another, and only later[28] are accusers forthcoming to accuse Christ of having wished to destroy the Temple.[29] Finally the solemn adjuration of the high priest and the unanimous judgment conclude the scene.

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[25]*Mt.* 26, 2, 6; *Mk.* 14, 1, 3.
[26]*Mk.* 14, 53.
[27]*Mk.* 14, 55.
[28]*Mt.* 26, 60.
[29]*Mk.* 14, 56-58; *Mt.* 26, 60f.

These texts do not give the impression of a hurried judgment. St. Mark by no means reduces the session of the Sanhedrin to the hasty convocation of a few members in the middle of the night, nor to the hearing of two or three witnesses suborned in advance. Rather, the Sanhedrin is convoked formally; witnesses are difficult to find to justify the sentence.

ii—After this Matthew and Mark describe the outrages to which Christ is submitted, a scene already described by Luke, and then *a second session* of the Sanhedrin "early in the morning." The entire Sanhedrin is again convoked.[30] From this session Christ is led to Pilate.

iii—Christ Before Pilate.

Pilate had none of the reasons for a hasty decision that the Sanhedrin had. The texts show that he hesitated; interrogated Christ several times, embarrassed by this strange case.[31] Learning that Christ is a Galilean he sends Him to Herod, who dismisses Him only after trying vainly to make Him speak.[32]

St. Luke distinguishes two appearances before Pilate. For the second, Pilate has convoked the chief priests and leaders of the people[33] who were dispersed. Matthew suggests an interval here by inserting at this point the episode of the remorse of Judas who goes to find the high priests and the ancients.[34] Even in this second session the condemnation is not immediate. There is discussion with the crowd and the release of Barabbas.[35] Finally there is the scourging and the preparations for the crucifixion.

The story becomes more credible if the events are spread over the period from Wednesday to Friday. The change effected in the crowd, too, is more understandable if the priests have at least a day to influence it.

iv—St. Mark declares that Christ was crucified at the third hour. There is a well-known difficulty here, for St. John states that the judgment by Pilate was about the sixth hour.[36] The

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[30]*Mk.* 15, 1.
[31]*Mk.* 15, 2-5; *Mt.* 27, 11-14.
[32]*Lk.* 23, 6-12.
[33]*Lk.* 23, 13.
[34]*Mt.* 27, 3-10.
[35]*Mk.* 15, 6-15; *Mt.* 27, 15-26; *Lk.* 23, 17-25.
[36]*Mk.* 15, 25; *Jn.* 19, 14. Lagrange thought that since St. Mark was evidently dividing the day into three sections with his mention of dawn, the third, sixth and ninth hours (15, 1, 33, 34), those figures could be taken as approximate, and John's more exact.
Op. cit. 429.

longer horarium of John has generally been preferred to the shorter one of Mark, and his 'third hour' has been extended to make it concord with John. But the time of Mark is the one that was preserved by the liturgical tradition.[37] In any case, even if the later hour of John be retained, the time still remains short, and it is difficult to conceive of so much activity in so short a time. Recourse to the fourth Gospel only augments the time difficulty, for it adds to the Synoptic account the incidents of Christ's interrogation by Annas before being sent to Caiphas.[38]

To have all these events crowded into the space of twelve hours seems altogether too much. Moreover, the Mishna dictated a delay of twenty-four hours between trial and verdict in the case of a crime punishable by death. Hence it insisted that such causes be not tried on the eve of a sabbath or feast day.[39] Capture on the night of Tuesday-Wednesday would offer the possibility of a decision on Thursday, allowing the required day's delay. It was Pilate's indecision that carried the final scene over until Friday morning.

(c) *The Denials of Peter*

The hypothesis provides an answer to some difficulties. Are there any details of the Gospel story which would destroy it?

All four Gospels place the denials of Peter in the night following the arrest. Matthew and Mark insert the story of the trial at the high priest's house inside the story of the episode of Peter's denials.[40] If, then, the denials took place at night, so, it would seem, did the trial. But St. Luke places it in the day time.[41] John seems ranged with Luke, since the night is occupied by the interrogation by Annas.

But John describes neither judgment nor verdict, only an interrogation before Annas, after which Christ is led to Caiphas.[42] This seemed so unusual that some had proposed to place v. 24, "Annas sent him bound to Caiphas the high priest," between

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[37] *Apostolic Tradition, Canons of Hippolytus, Testament of Our Lord Jesus Christ,* cited by Jaubert, 119.

[38] *Jn.* 18, 13-24.

[39] Sanhedrin IV, I. For a summary of the laws governing judicial procedure, cf. *Everyman's Talmud,* by A. Cohen, London, 1948, esp. 309-314.

[40] *Mk.* 14, 54-72; *Mt.* 26, 58-75.

[41] *Lk.* 22, 66.

[42] *Jn.* 18, 12-28.

vv. 13 and 14 so that the interrogation should take place before Caiphas.[43]

On the hypothesis under discussion this is unnecessary. John describes the night of the arrest. Christ is led before Annas. This interrogation is very different from the trial, there is no reason to assign it to Caiphas. According to John the denials took place at the house of Annas. It is into his courtyard that Peter entered, his denials take place there, the last two at the fire where he is warming himself.[44] Here the tradition followed by John is rejoined by that of Luke.[45] The order of events that places the last two denials at the moment Christ is led from Annas to Caiphas is as old as the Diatesseron of Tatian.[46]

The following detailed chronology is proposed:

Night of Tuesday-Wednesday: Christ is arrested, led to the high priest (Mk. 14, 53; Lk. 22, 54) *Annas* (Jn. 18, 13), and interrogated by him (Jn. 18, 19f). At cock-crow he is led to Caiphas (Jn. 18, 24).

Wednesday: Trial (Mk. 14, 55-64 and parallels); outrages (Mt. 26, 68 and par.).

Thursday morning: Verdict (Mt. 27, 1; Mk. 15, 1); Christ led to Pilate (Mt. 27, 2; Mk. 15, 1; Lk. 23, 1; Jn. 18, 28); Christ sent to Herod (Lk. 23, 6-12).

Friday morning: Second appearance before Pilate (Lk. 23, 13); condemnation and crucifixion.

No one Evangelist describes all these incidents. Only John indicates the interrogation before Annas, Luke alone gives a clear indication of the two sessions before Pilate, though he lumps together trial and verdict in one early morning session of the Sanhedrin. Mt./Mk. speak of two sessions. Each of the four Gospels is episodic, telescoping some events. In arranging facts they knew of as separate incidents into a certain order, they have no intention of affirming that such was the precise chronological order. By using the indications furnished by John and Luke we round out the picture given by Matthew and Mark.

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[43]Cf. Lagrange, *Evangile selon Saint Jean*, 8 ed., Paris, 1948, 459-461. But he declares impossible the translation 'Annas *had* sent him' which would make v. 24 a 'delayed footnote,' as it is explained in Monsignor Knox's translation.

[44]*Jn.* 18, 18, 25.

[45]*Lk.* 22, 61.

[46]It is also the explanation of P. Benoit in *Angelicum*, XX (1943), 143-165, "Jesus devant le Sanhedrin," esp. 158-160.

(d) How Was This Chronology Obscured?

One important question remains to be answered. How, in the Gospel accounts that we have, was the explicit record of the three days of the Passion lost?

The primitive oral catechesis which preceded the written Gospels was much more concerned with the substance of the facts and their doctrinal import than in their precise chronological succession. It brought out the facts on which the apostolic preaching rested, preserved the details that interested it, but worried little about precise dating of events. The Gospel of St. Mark, for instance, does not permit us to date the ministry of Christ, nor to establish its duration. The 'telescoping' of two separate but similar incidents was not difficult. The two interrogations before Annas and Caiphas, both of whom were high priests, coalesce in Matthew and Mark. The two meetings of the Sanhedrin suffer the same fate in Luke as do the two appearances before Pilate in Mark and John. What was important was to show the unheard-of scandal of a crucified Messiah-King, to point out the responsible parties, those things in which the apostolic preaching was illustrated. But such a 'telescoping' of analogous elements as has been indicated, far from hindering, would rather assist the resumes of the primitive catechesis.

But when this oral catechesis passed from a Palestinian circle, acquainted with the Tuesday Pasch, to a pagan world, ignorant of any other Pasch but that of the Jews of the Diaspora held on the 15th. Nisan computed by a lunar calendar, then, the Last Supper was associated with the only known Pasch, the 'official' one. The most obvious case of 'telescoping,' thinks Jaubert, was the transfer by Matthew and Mark of the session of the Sanhedrin to the preceding night. This would suppose, surely, that the real conditions in which the judgment was held were forgotten, and the absence of eye-witnesses. But at the time at which the Christian message was being transmitted by the Gospel of St. Mark at the height of persecution under Nero, what was important was to transmit the essential message of salvation, not to assure precise points of chronology for later readers. Nor was it necessary to do violence to a tradition already formed. The story of the trial before the Sanhedrin, already extant as a complete unit, would have been inserted inside the story of the denials of Peter.[47]

The Gospel of St. Matthew followed that of Mark in this

[47]Jaubert suggests that it was merely shifted from its original place between 14, 72 and 15, 1.

transfer, but St. Luke, who knew how to use Mark when he wished, did not follow him here, probably because he had other sources of information. The fourth Gospel passes over the trial before the Sanhedrin and speaks at length about the interrogation before Annas. It gives the impression of a personal reminiscence. The two sessions before Pilate are compressed into one. Its interest is mainly theological, pointing to the kingship of Christ. The centre of the Johannine account is the crowning with thorns.

For the first Christian generation, concludes Mlle. Jaubert, Christ celebrated the Pasch on Tuesday night, following a sacred calendar which had regulated the march of the Chosen People through the desert as well as the ancient liturgy of the Temple. Thus the Last Supper was charged with all the associations of the venerable priestly tradition. It replaced the sacrificial repasts of the Old Law. It was the culmination of the liturgy of the Azymes.

But by dying on Friday, the eve of the official Pasch, Christ substituted Himself for the lambs immolated in the Temple. Not only was the Last Supper a Paschal meal, Christ Himself was the Paschal Lamb. From that moment He is the unique victim whose blood replaces that of sheep and goats. Thus Christ brought together the double heritage of Jewish tradition to bring it to achievement. When St. Paul writes, "Purify yourselves of the old leaven . . . Christ, our Pasch, is immolated,"[48] he is voicing the primitive belief of the Christian community.

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[48] I *Cor.* 5, 7.

Melbourne Catholicism Before Bishop Goold, 1836-1848*

Summary:

The state of Catholicism in the Port Phillip District—The efforts of the Irish Catholics to maintain the Faith—Petition to Archbishop Polding for resident priest—Appointment of Father Geoghegan—Arrival in Melbourne, May 15, 1836—Builds temporary church—Joined in Melbourne by Father Walsh—Foundation-stone of St. Francis' Church, October 4, 1841—Father Stephens opens first church at Geelong—Early priests in the mission—Political career of Edward Curr—Opposition from J. D. Lang—Archbishop Polding asks Propaganda to create new See—Melbourne See erected in 1847, together with Sees of Port Victoria and Maitland—Geoghegan and Gregory considered as possible candidates for new bishopric—Appointment of Dr. Goold—Reasons for appointment.

The Port Phillip District was under Archbishop Polding until 1848. Only once, however, did he manage to visit it in person—on his way back from Hobart, with McEncroe, late in 1844. The tone of Catholicism in Melbourne was determined by the people themselves, and by Geoghegan; though we should remember that Geoghegan was all the while in close touch by mail with Polding, Murphy (Adelaide), and others.

The merest handful in 1836, the Catholics numbered some six hundred adults in Melbourne itself by the time of Geoghegan's first unofficial report to Latrobe at the beginning of 1840;[1] and in 1842 the figure Dr. Polding gave Propaganda for the whole district south of the Murray was as high (somewhat too high, to judge by the census of 1841) as four thousand.[2] They were mainly Irish bounty immigrants, poor, unskilled, unsure of themselves. Goold's first impressions of them, in his diary for 1850, bear this out: at Brighton "the greater part were absent, being engaged at the shearing in the interior, or employed bringing the wool to Melbourne;" at Wangaratta, "the Catholics living here are very few, and mostly servants."[3] There was a sprinkling of Highlands Catholics, MacDonalds and McKillops, kinsmen and friends of Captain and Mrs. (Caroline) Chisholm. Alexander McKillop, who had had a brilliant career as a student for the priesthood in Rome, but had, it is thought somewhat wilfully, withdrawn before ordination, was the early

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* This article is intended as the first of a series on Bishop (later Archbishop) Goold's work in establishing ecclesiastical discipline in Melbourne from 1848 to 1866.

[1] *Chief Secretary's Archives*, Public Library of Victoria, 40/44.

[2] Cardinal Moran, *History of the Catholic Church in Australasia*, p. 238.

[3] *Ibid.*, p. 733, 735.

leader of the community, the one lay trustee of the little church (the others being Dr. Polding and Geoghegan), having won the Catholics some advantage by a well-timed speculation in land.[4] McKillop's subsequent erratic path, in matters both temporal and spiritual, put the leadership of the Catholic community in other hands, those of Curr and O'Shanassy; but it does him honour that J. D. Lang thought him worth a special denunciation in his *Popery in Australia* (1847); and his daughter Mary, in a sense, took over in God's service where her father left off.[5]

This free Catholic community, when compared with the poor Irish of New South Wales a generation earlier, was more cohesive and articulate, if we may fairly judge it from two early published documents. The first is a memorial to Dr. Polding asking for a priest. Therry had apparently been unable to get to Melbourne on his way to Launceston in 1838; Watkins, certainly at Port Phillip around that time, did not exercise his ministry, and may in fact have been under suspension following his indiscretions in Van Diemen's Land. However, a temporary chapel was erected beside the house of a pious French carpenter, Bodecin; and the wife of Therry's friend Coffey (who still spelt it Coffee at this stage) did what she could to catechise the children.[6] On April 28, 1839, the Catholics addressed Polding in words that went to the heart of the matter: "however negligent some of the memorialists may have been, when the waters of salvation flowed near their lips, to receive that fountain from which eternal life flows, now conscious of their former folly, they are anxious to be united by discipline, as they have ever been in faith, with the One Holy Catholic and Apostolic Church." The nearest priest at the time was weeks away: "the application of the merits of Christ's sufferings through the medium of the Sacraments is thus virtually denied to your memorialists"— who are therefore "obliged to live, and exposed to die, without any of those rites which a Catholic holds so important in his intercourse with Heaven." And a fortnight later they addressed themselves in equally measured and felicitous terms to their fellow-citizens:

> We are before you, amongst you, and we need but refer you to

[4]Mackle, *In the Footprints of our Catholic Pioneers*, pp. 21 sqq.
[5]O'Neill, *Life of Mother Mary of the Cross*, pp. 4-11.
[6]Mackle, *op. cit.*, p. 8 sqq.

> our numbers, industry, and talent to induce you to acknowledge our importance in a new-born rising colony. We are, however, poor as (a) community, and therefore call upon you with confidence for assistance in our undertaking. The blessings to be obtained through divine worship and instruction are too obvious to require naming: good order, industry, respect for our laws, loyalty to our beloved Sovereign, and veneration for our ancient Constitution will be among the duties at all times inculcated. We need not, at the present day, revert to those bugbears, the offspring of ignorance or fraud, which have kept our fathers at variance for so many ages.[7]

There is evidence of a trained mind here, one perhaps that remembered its Tertullian, and its theology courses; this stylish Catholicism unfortunately had, during the rapid expansion of the forties, to make way for one less considered, less unequivocally supernatural in its motives.

As it happened, priest and memorial must have passed en route. Bonaventure Geoghegan was twenty-five years of age when he arrived in Melbourne, a "chubby, natty little man, a perfect picture of health and cheerfulness."[8] As a member of the Seraphic Order should be—for he was a Franciscan, and a good one, especially in his sweetness of demeanour and his love of poverty. He had learned both in a hard school. As children, he and his sister, orphans, had been cast into the street literally naked, refusing to compromise their religion; a Franciscan had looked after them and led Geoghegan into his Order.[9] He had done his studies in Portugal. He arrived on May 15, 1839, and said the first Mass on the 19th in the temporary chapel, on a makeshift altar improvised by Mrs. Coffey, and still extant.[10] The following week Geoghegan appealed for "a plain, commodious building for our public worship"—if the priest was to receive a government salary, the people must subscribe at least £300 for this purpose. He took the opportunity to make another point, on which he very justly considered the prosperity of his enterprise depended:

> The other obligation I desire to impress upon you is founded on the very essence of the Christian religion—it is the cultivation of kind, liberal feeling and deportment towards the members of all religious persuasions.
> To recognise the right of everyone to worship God according to his conscience is a noble and enlightened principle—it alone can give a permanent basis to society, because upon it alone can be combined the various forms of Christian worship into a structure for the common good. . . .[11]

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[7]*Ibid.*, pp. 10-12, gives these addresses.
[8]Finn, *Chronicles of early Melbourne*, p. 138.
[9]Moran, *op. cit.*, p. 541.
[10]Mackle, *op. cit.*, p. 41.
[11]*Ibid.*, p. 16.

The £300 was hard to find, because a new temporary chapel (this time on the present site of Saint Francis') made great inroads into the community's small resources; in a letter to Therry in August, Geoghegan, eagerly expecting a companion (Walsh), "for I could not think of undertaking such a mission without a confessor," could count only £18 in hand towards a permanent building.[12] The two priests, moreover, had to live on one stipend. And it was a time of depression. However, when the foundation-stone of a church named for Saint Francis was laid on the Saint's feast day (October 4), 1841, £200 was collected on that day.[13]

The first Mass was celebrated in the new church—still far from complete—on May 22, 1842, by Stephens, a newcomer. For Geoghegan had obtained Murphy's reluctant consent to his retirement, at least temporarily, on grounds of health. In reply to an address of appreciation he had once more emphasised the reconciliation of firm dogmatic faith with friendliness: "Seldom before had Catholics our favourable opportunity of removing the unhappy misconception which represented us as unwilling to secure to others that liberty of conscience we demanded for ourselves."[14] Later in the year, however, he was back; while Stephens went to Geelong, where he opened the first church on November 27. Watkins, apparently just back in commission, came to assist him. There was a succession of priests on short-term stays in Melbourne during the 'forties. Watkins, Walsh and Stephens, Ryan, the future Vicar-General of Adelaide; another Franciscan, McEvey, who after returning to Ireland (1848) was to come back (1854) and erect the Lady Chapel in Saint Francis', and die in the colony (1859); a vigorous six months of J. J. Therry, a happy relief amid the dreary waste of time his dispute with Bishop Willson involved him in from 1844 on; John Kavanagh, dismissed from the mission by McEncroe, taking refuge with his brother Michael, priest in the Yass-Goulburn area; John Kenny, Magennis, not then ordained; Cotham, who came over with Therry from Van Diemen's Land for a time; and finally Dean Coffey of Parramatta. This cross section gives some inkling of the headaches of ecclesiastical administration at the time. Geoghegan alone gave continuity. He, too, tried once more to leave, having volunteered

[12]Moran, *op. cit.*, p. 718.
[13]Mackle, *op. cit.*, p. 24.
[14]*Ibid.*, p. 28.

originally for seven years in Australia, and probably being very homesick for his stricken country. On that occasion (October 4, 1846), neither Geoghegan, preaching, nor his audience, could master the emotion they felt at leave-taking. With characteristic modesty, he accepted their parting gift of 170 sovereigns as "an offering in favour of the liberal sentiments of which we are respectively the devoted adherents."[15] Therry succeeded him in charge; but the following April McEncroe wrote announcing Geoghegan's return, as Vicar-Forane, with Kenny and Coffey to assist him.[16]

The Church was expanding slowly with the numbers and wealth of the people. Geelong had a pastor of its own most of this time—Stephens, Walsh, Kenny—with a church-building[17] and a stipend. There was a church-cum-school at Williamstown. At Port Fairy, £317 was collected for a church in 1847, £100 of it (plus a piece of land) the gift of a Protestant land owner, Atkinson, who later made other gifts to the Church.[18] A small church went up at Brighton early in 1848.[19] Saint Francis' Church, meanwhile, in the centre of the city-to-be, was completed on a generous scale, free of debt; the original still stands, Melbourne's most used church; the suburban churches, and Mass-stations (like McKillop's house at Darebin Creek) were served from here at this period. The churchmanship of the laity crystallised chiefly around two societies. The Father Mathew Total Abstinence movement was greatly strengthened, to a membership of 1400, under Therry's guidance;[20] by March, 1849, it had built a "spacious hall," which Goold was shortly to put to use as a school. The Saint Patrick's Society, though professedly non-denominational, in fact always sought the Church's blessing; for instance, the Saint Patrick's Day procession of 1843 was the occasion of Port Phillip's first sung High Mass. Finn, the chronicler of early Melbourne (as "Garryowen"), and O'Shanassy, were its leading lights. Its rather grander hall was used by the first Victorian legislature. A third

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[15]*Ibid.*, pp. 47-49. As my use of him would indicate, Mackle's unpretentious little book contains much useful and accurate information on the early period of Melbourne Catholicism. On events after 1850, he is of less value.

[16]O'Brien, *Life and Letters of the Archpriest Therry*, pp. 255-6.

[17]Cf. *Sydney Chronicle*, 23/10/1847.

[18]*Ibid.*, 7/7/1847.

[19]*Ibid.*, 11/12/1847.

[20]*Ibid.*, 1/5/1847.

society, the Propagation of the Faith, established by Therry,[21] had to be revived by Goold.

In 1843, with the election of representatives to the Legislative Council, political issues came to divide the little community dwelling, as J. J. Therry put it, on the pure[22] waters of the Yarra. Perhaps rather unexpectedly, Catholicism itself became a point at issue. Edward Curr, an Englishman and a Catholic—an old schoolfellow of Polding, in fact—for a long time looked like being elected unopposed for Melbourne.[23] He had sat on the Legislative Council in Tasmania; was conservative in his views; was the ardent and clear-headed advocate of separation from Sydney. His Catholicism was his undoing. It is highly probable that there were sectarian overtones to the dismissal of Judge Willis the very week of the election—sectarian issues had certainly been involved in his transfer from Sydney in the first place. And Curr was probably the most influential private individual behind the petition that had led (given Latrobe's hostility into the bargain) to this second, humiliating removal.[24] At the same time, John Dunmore Lang entered the picture. He wished to sit on the Council, it would seem, as a counter to Broughton (thereby, of course, providing Gipps with a motive for renominating the Bishop), but was discredited in Sydney, where he had been forced into a schismatic position, denouncing the Presbyterian Synod as the "grossest tyranny," and with some logic denouncing the "monstrous heresy that all religions are alike, and, therefore, all equally deserving of support from the state."[25] Hence he chose to stand for a Port Phillip seat; not, indeed, for Melbourne, where he would have had to contest the prestige and popularity of Curr, but for one of the seats of the District. He found an ally in Fawkner and his newspaper the *Patriot*: Willis enjoyed support from the same section.

"Let no man support me because I am a Catholic, or on any religious basis narrower than Christianity itself"[26]—thus Curr, in March. Without adopting his unfortunate distinction between Christianity and Catholicism as between genus and species, we

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[21] *Ibid.*, 9/6/1847.
[22] Mackle, p. 44.
[23] *Chronicle*, 31/1/1843.
[24] *Chief Sec.* P.L.V., 43/973 and 1037.
[25] *Chronicle*, 10/2/1842.
[26] *Ibid.*, 23/3/1843.

can assume his honest conviction that Protestant and Catholic had basic beliefs in common. But Lang had already, a month earlier, stressed the incompatibility of the two; it would "look strange" for a "Protestant town like Melbourne" to be represented by a Catholic.[27] It was believed by the Catholics, though Lang denied it flatly,[28] that in a sermon, after describing Catholicism as a second-hand religion, he had declared that "it was the bounden duty of every Protestant in the colony to endeavour by every means in his power to extirpate it from the face of the earth";[29] whether he did or no seems no great matter, since this was a fair construal of his frequently-avowed hostility. Curr, a sanguine, impatient man, rather foolishly gave voice to a half-threat not to sit in Sydney if it meant sitting with the Doctor; and his own intemperate and tactless language did nothing to improve his case. At the eleventh hour, Condell, the mayor of Melbourne, and originally Curr's seconder, came forward to stand against him. "Heartless and relentless savages," to use Curr's words, "hoisted the Orange flag;" a placard, from the *Patriot* office, read: "Protestant electors of Melbourne, remember what your forefathers suffered from Popery. . . . You are three to one in number, so down with the rabble and no surrender."[30] McKillop who had written as forcefully as Curr against Lang, suffered from it; trivially, so far as he was sent large parcels of the *Observer* (Lang's paper in Sydney), blank paper, and scurrilous messages calling him "a Scotch Romish bigoted fool," a "Scotch Papist son of a b——," postage to be paid on it all,[31] more seriously, in that he damaged his social and business standing at a time of financial crisis when, as one of the still-solvent of the Twelve Apostles, he was piloting his precarious way through the reefs and shoals of the Depression with a great cargo of sure liabilities matched by doubtful assets. The *Port Phillip Herald*, on which Finn served, received similar favours by post. For the Catholics, the *Chronicle* was too distant to provide defence; and McEncroe was besides rather

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[27]*Port Phillip Patriot*, 9/2/1843. In justice to Curr, who handled a difficult situation somewhat clumsily, I am fairly sure that Lang fired the first shot; the letter in question was pseudonymous, signed "Homo," but Lang did not deny when tasked with its authorship.

[28]*Patriot*, 15/6/1843.

[29]*Chronicle*, 4/7/1843.

[30]Curr to *Port Phillip Herald*, 21/6/1843

[31]*Chronicle*, 11/7/1843.

frivolously but quite definitely opposed to the cause of separation, which he headlined as Repeal of the Union.

There was rioting on the day; Curr lost the election.[32] He did eventually sit on the Council for a short time, after a bye-election in 1845; he wrote Dr. Polding on the occasion, remarking how, under so benign a government, the Catholic cause had no need of his advocacy.[33] But he seems never quite to have recovered either his equanimity or his prestige. In the Archives of Latrobe's Superintendancy we find why. He protested the 1843 election to Latrobe, who could do nothing about it, of course;[34] and though later in the year he was appointed to an honorary magistracy, Plunkett on this occasion voiced a suspicion that the Superintendant was prejudiced against Curr.[35] However that may have been in 1843, it was so by 1844. Curr's son got into trouble of some sort. Curr's letters of protest on this occasion, in a mode "scarcely sanctioned" by ordinary and proper usage, irritated Latrobe, no doubt with reason;[36] we find Curr furnishing the Superintendant with excerpts from Daley's *Law and Practice;* when Curr junior was finally imprisoned, the father followed up with complaints regarding the condition of the gaol.[37] Meanwhile, Curr consistently opposed Gipps, and (in 1846) the Gipps testimonial;[38] in 1848 he was one of those who succeeded in having the Colonial Secretary, Grey, elected to represent Port Phillip in the Legislative Council.[39]

In view of all this, it is surprising to find Latrobe appointing Curr as the Catholic representative on the Denominational School Board in 1848, and persisting with the appointment despite the strongest protests of the Bishop, Goold, whose first months in Melbourne were embarrassed by this prolonged, and even somewhat heated, controversy. Latrobe gave as his motive for naming Curr, his proven capacity for business; the Bishop protested in view of "the serious inconvenience the Roman Catholics suffer in not having on the Denominational Board of

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[32]*Chief Sec.* P.L.V. 43/1102.
[33]*Sydney Morning Herald,* 17/6/1846. But probably the *Herald* was referring to what Curr had said on the hustings in 1843.
[34]*Chief Sec.* P.L.V. 43/1155.
[35]Gipps-Latrobe 15/7/1843, P.L.V. H7183.
[36]*Chief Sec.* P.L.V. 44/1368.
[37]*Ibid.,* 44/1465, 1502, 1632 et alibi
[38]*S.M. Herald,* 25/6/1848.
[39]*Chronicle,* 12/8/1848.

Education a person who enjoys their confidence," without saying why Curr did not have the Catholics' confidence.[40] We have to read between the lines. Probably the chief motive on either side was Curr's past championing of National (as against Denominational) education. But Curr, besides, was no longer popular, being a "big" man, and in favour of the revival of transportation;[41] as to whether Latrobe had other motives we can only guess—perhaps, as his family background might suggest, fear of Papal aggression, or perhaps precisely that Curr was not suspect of the democratic and anti-English bias of his co-religionists (the famine in Ireland having intervened and bred a hostile republicanism among the Irish). Curr remained on the Board, attending its meetings regularly, until he resigned in October 1849; he died the following year.[42] His career in a rather unexpected fashion underlines the deterioration of the Catholics' relations both with public opinion and with the state.

As to public opinion, I shall let Geoghegan, who has had some good things to say, have the last word. Forwarding a cheque for famine relief to the Archbishop of Dublin in August, 1846, he wrote:

> With deep regret I have to record that Orangeism has succeeded for the last two years in forming itself and spreading its rancorous influence over this formerly liberal and peaceful province, to such an extent indeed, that three distinct attempts were lately made on my life whilst I was endeavouring to prevent the effusion of blood in removing some of my own people from a conflict. The Orange press has misrepresented these commotions, so industriously called into action by its own party to the prejudice of the Irish Catholics of Melbourne, with a view to afford materials to an agent (Dr. Lang) gone to Europe which may make an impression on bigots at home in furthering Northern Orangemen to Port Phillip, and in excluding, as much as they can, Catholics from facilities to immigrate to the province. Of course, the generosity proved by my own people on this occasion, on behalf of their distressed countrymen at home, was too triumphant a refutation of "bloodthirsty, savage, etc.," brought against them, so that something must be done to give a false feature to their proceedings. It was a Popish affair, got up by a Popish priest, and conducted at a Popish schoolroom for Popish purposes at home, and all loyal Protestants were invited in discountenancing and watching us.[43]

He expressed the normal Catholic feeling that Orangeism is unprovoked aggression. To fill out the factual background: Irish relief from Port Phillip amounted to nearly £1800, collected in seven weeks in 1846. The Loyal Orange Lodge was established in Melbourne following the election friction of

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[40]*Chief Sec.* P.L.V. 49/313, 319, 361.
[41]*Chronicle*, 27/3/1847.
[42]Cf. Minutes of the Board in the P.L.V.
[43]Moran, *op. cit.*, p. 720.

1843; the two following years Orange processions planned for July 12 (to celebrate William's victory at the Boyne on that date) were frustrated by the strategem of calling a hurling match between Clare and Tipperary—an effective and peaceful method of gathering a crowd of "well-developed Hibernians," and arming them with sticks.[44] At the same time, Saint Patrick's Day Processions had a much freer run. In 1846 violence actually did break out, marked by one of the attempts on his life which Geoghegan alleged—the man standing next him in the street, at the scene of the turbulence, was shot. Therry thought it better to stay away from the Saint Patrick's night dinner the following year, rather than risk the allegation that the Church itself was stirring up trouble. And Geoghegan, according to Willson, was the "sole influence" which averted further, and graver, collisions.[45] Irish patriotism and Catholic faith, however, continued to lean heavily on one another; Geoghegan's discourse for the death of O'Connell, then considered by many the model for the Catholic layman, seems to have been one of the most impressive he ever delivered.

The population of the territory, and its distance from Sydney, demanded the creation of a new See. Polding put the case before Propaganda while abroad 1846-1847; perhaps the decision to erect one was hastened by the slightly prior Anglican move in the same direction; but we should note that the Melbourne See was erected by the same Brief of June 25, 1847, which set up the Sees of Port Victoria now the See of Darwin) and Maitland, which suggests stable long-term policy rather than improvisation—the Papal Brief speaks of it as "a duty of the Apostolic office which the divine mercy has committed to Us" that "We set up new dioceses in any part of the world when We know it will assist the spread of the Catholic Faith." The territory was to comprehend "the not-yet constituted province of Australia Felix," with the boundary, in anticipation of Queen Victoria, along the Murray.[46] Hopes were expressed that Geoghegan would be the new bishop, and both he and Gregory considered themselves as possibilities; McEncroe, too, was mentioned by the press.[47] "My dear Boy," Gregory informed

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[44]"Garryowen" in *Advocate*, 14/7/1894.

[45]Bishop Willson's letter of introduction written for Geoghegan (who was going to Europe), 30/3/1849.

[46]The Brief of Erection is given in the *A.C.R.* of 1899, p. 381.

[47]*Chronicle*, 3/7/1847.

Geoghegan on February 11, 1848, "Goold is the unfortunate fellow, who will be mitred."[48] He had been recommended by Dr. Polding;[49] and was better known in Rome, where he had studied, and where, indeed, he had met Ullathorne and volunteered for the Australian mission.[50]

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[48]Archives of the Archdiocese of Sydney.
[49]R. Therry in the *Freeman's Journal*, 1/4/1854. But Therry's authority on this occasion is open to query.
[50]Moran, *op. cit.*, p. 724.

Moral Theology

SOME MEDICAL PROBLEMS

Dear Rev. Sir,

1. I was recently called to the hospital to baptise a newly-born infant, who would not live unless an operation were performed very soon to change his blood completely. The doctors had good hopes for the success of the blood transformation, but had grave fears whether the child would ever be able to live a normal life. Was there an obligation on the parents to consent to the operation, or could they with safe conscience have allowed the child to die?

2. A patient who is suffering from an incurable cancer, but has still a considerable time to live, contracts pneumonia which brings him in danger of death. Is the doctor bound to administer the usual treatment for pneumonia and so prolong the patient's life, which must inevitably be made very difficult because of the painful cancer which will eventually bring about his death?

3. A married woman cannot safely bear more children because future pregnancy will endanger her life. Could she submit to sterilization and thus continue to enjoy the secondary ends of marriage as well as survive to fulfil its primary purpose by rearing the children with which God has already blessed her?

ANXIOUS.

REPLY

The first and second questions are answered by applying the principle that we are bound to use ordinary means to preserve both our own lives and the lives of those dependent on us, although we are not obliged to go to extraordinary measures to postpone death. The complete change of blood in a newly-born babe, at first sight, would seem an extraordinary means of saving life, but in reality we believe it is not so these days, where all facilities are available for its successful accomplishment. Pneumonia is frequently and speedily cured by the use of modern remedies, easily procurable and administered without inconvenience. The third question deals with mutilation, which is permitted for the good of the whole body. One would say, then, that the parents should permit the operation for the changing

of the infant's blood; the doctor who is called to exercise his skill should prescribe and administer the drugs usually efficacious in similar pulmonary conditions; the purpose of sterilization, in the case submitted, is far otherwise than for the good of the whole body and is not lawful. Let us deal with the questions in turn, and develop the principles involved.

1. We should observe at the outset that the future condition of the infant after he has been successfully brought through the present crisis, does not enter into the rational consideration of our question. The thought of the unfortunate lot of a handicapped child may arouse sympathy to the extent that one must take care that sentiment does not confuse the issue. A person who is physically deformed has the same right to life as one whose body is perfect in every respect; and a mentally defective child is a human being with essential human rights no less than an intellectual genius. Sentence of death or its equivalent may not be passed on an incapacitated child. His parents are not to say that he should be left to die, while it is within their reasonable power to ensure that he will live; they are the natural protectors of the life they gave him, as God's instruments. The State may not justly decree his death or that of any citizen unless in punishment for some serious crime, judicially proved; and the child can commit no crime. If the child's life is in danger from some natural cause, there is an obligation on those responsible for him to do what is humanly possible to save him. This obligation rests primarily on the parents and close relatives, and in defect of these, ultimately devolves on the State whose ward he becomes. In some cases, the task of curing him may be relatively simple and the obligation evident; in other cases, it will be the judgment of competent medical men that he is beyond their aid, and nothing can be done but wait till the malady takes its course; and not infrequently there will be a hope or even a reasonable assurance of recovery by recourse to measures that involve great difficulty and inconvenience to the patient or those responsible for him, such as highly specialised and expensive treatment, remedies that can be procured only with much trouble, long periods of separation from his family, etc. These are referred to as extra-ordinary means of preserving life; and normally a person is not bound to have recourse to them either for himself or for those

committed to his charge, though he may do so if he wishes.

The reason why we must use the ordinary means of preserving life is that we are forbidden to kill ourselves, and in that prohibition is contained the command to adopt due measures to maintain ourselves in life. Refusal to avail of the ordinary and easily available remedies in time of serious sickness is but to open the door to death, and is a serious sin. Extraordinary means to preserve life are out of proportion to the end to be gained, unless other considerations, such as the responsibilities towards others or the public good, demand that we make every effort to regain our health and remain at our post. We have not here an everlasting city and sooner or later death must come. Failure to assume the burden of using what is certainly over and above the ordinary means to keep ourselves alive is merely permitting nature to take her course, for the sufficient reason that too much inconvenience is involved in doing anything else. A few years of life are worth striving for to gain greater merit for ourselves and to help others towards their goal; but sometimes the price, so to speak, is higher than we can be expected to pay, when all the circumstances are weighed in the light of calm reason enlightened by faith. In such conditions, we can consider the extraordinary means as impossible, not perhaps physically, but at least morally. The decision as to what means are in fact ordinary and what extraordinary can be left to the common judgment of prudent men in a given time or place.

With the remarkable progress of medicine during the last few decades, one must be slow to pronounce as extraordinary many health-giving aids that to our fathers would have seemed fantastic. An example is the changing of the blood, because of a disease springing from the Rh factor, which destroys the red blood cells. In modern maternity hospitals provision is made for this eventuality and the operation is performed without undue concern and with mostly satisfactory results. With hospital services available to the general public without great hardship on the individual, it is not normally an extraordinary means of preserving the child's life to give him the transfusions needed to combat the disease. As a rule, then, it seems that the parents should consent to this operation, when the doctor in attendance considers it offers a fairly certain chance of saving the child's life.

Once we concede that the treatment called for may be classed as within the limits of what is ordinarily administered

in the circumstances, there can be no question of neglecting it for the reason that the child will later be a burden on his parents or guardians or on the State. One may almost as well argue that the deformed or imbecile child should be left to starve to death because he will never be able to feed himself. The taking of nourishment is a necessary and ordinary means of preserving the life of any human being; a simple operation is the ordinary means of saving the life of a child born with a particular disease of the blood. The only difference is that food is universally necessary and no one can live without it, while the number of persons in need of drastic blood transfusions are the few unfortunates who, in accordance with the ways of nature, are fashioned defectively and will not survive unless medical science provides this particular help.

2. The patient in the second case is threatened with death by two ailments. Unless appropriate treatment is given, he will succumb to pneumonia within a matter of days; and despite all that can be done for him he will die from the ravages of the cancer within a roughly predictable time, though not in the immediate future. In the meanwhile, it is expected that he will suffer a great deal of pain though all the efforts are made to render his condition as comfortable as possible. Would it be permissible for him to disregard any offers of treatment for pneumonia and so escape the months of misery that, in the usual course of events, lie ahead of him? Would it be lawful for his doctor to refrain from administering the drugs which are the recognised medicines for a patient suffering from pneumonia? There seems no reason to doubt that the present crisis should be considered as something having no relation with the malignant disease which constitutes a distinct illness. The treatment for pneumonia is comparatively simple and the percentage of cures is high. With the use of ordinary measures the sick man can recover from his present serious state. The future and the progress of the permanent illness are other matters. Refusal on the patient's part to accept the cure would be indirect suicide and the doctor who would not order the usual remedies would be guilty of indirect killing; and neither patient nor doctor could adduce sufficient reason for permitting the abbreviation of a human life. Further, the doctor called to the case would violate his contract, if he did not do his best to cure his patient. Although death is certain from one cause known to exist, we

are not permitted to allow another cause to take its course when it can easily be arrested by the use of ordinary means. If our cancer patient were crossing the railway line and we noticed a coming train, should we calmly wait till the train hit him, or should we do something to stop the train or call out to him to hurry from its path? Obviously, no one would maintain that he should be allowed to perish on the railway lines to-day, because he is going to die of cancer before the passing of many moons. Neither should he be let die of pneumonia this week, because he has certainly to face death some time in the future because of another illness already apparent.

3. A married woman who cannot safely bear more children may be under an obligation to avoid pregnancy, especially if her duties towards her husband and the children already born would seem to call for her continued presence with them. The remedy suggested is that she undergo a surgical operation whereby she will be rendered sterile. Sterilization does not leave her impotent and she can still have her part in conjugal intercourse. She will not become pregnant, since some of her internal organs have either been removed, or, what is most likely, made incapable of functioning.

To remove one of the organs of the human body or to suppress its function is a mutilation. It is agreed that mutilation is permitted, and in cases may be of obligation, if the member or organ which is interfered with constitutes a danger to the life or general health of the person concerned. The reason is that the individual members or parts of the body exist for the good of the body as a whole. It is better to sacrifice one portion of our bodies than lose our lives. There has been much discussion in recent times as to the limits of man's power over the disposal of the parts of his own body; but none would agree that any member may be simply destroyed or suppressed unless for the physical benefit of the individual concerned—though there has been some debate among theologians as to whether a member may be taken from a living person for the advantage of a fellow man in whose body it is transplanted. Here there is no question of transplantation and its morality does not occupy our attention at present. The functioning of the organs of reproduction is permanently arrested for the purpose of preventing the possibility of future pregnancy, which will most likely be frought with great danger. It should be evident enough that the

woman is in no danger at present and the organs of reproduction are capable of fulfilling their natural functions. If she becomes pregnant she may be then in danger of life, and it may even happen that drastic measures will have to be taken to save herself and the child. The sterilization of the woman is not to save her life, but to secure her against a danger which may arise, or may never become a reality. Pregnancy may be avoided by lawful means which can involve some restraint and mutual understanding between husband and wife. Sterilization is not the only precaution available against what is at most only a hypothetical risk of life.

The rearing of children already born pertains to the primary end of marriage, and is an obligation incumbent on the parents who brought them into the world. To fulfil this obligation, it was remarked above, the woman may be bound to avoid the dangers which in her case are inseparable from pregnancy. But the end will never justify an unlawful means, and she may not have recourse to mutilation of her body in order to ensure that she will continue to discharge what are undoubtedly her maternal duties.

The secondary ends of marriage are intended by God in view of its primary purpose, the procreation and education of children, which they help to make more easily attainable. It must be remembered, however, that they are secondary and subordinate to what they are intended to promote. It is scarcely likely that the woman in our case will have to forego entirely the natural satisfactions of married life in which God has placed a remedy for concupiscence and a means to foster love between husband and wife, although some sacrifice and self-denial may be called for. If pregnancy were a physical necessity altogether independent of any free, human act, and on its avoidance depended the life of the woman, it could be conceded that she might agree to the mutilation to escape the risk. On this basis we may justify the removal, v.g., of tonsils which are now in a healthy condition, but are likely to suffer from a recurring infection, not devoid of danger. Pregnancy presupposes conjugal intercourse, which is a free human act, performed in favourable conditions. If a housewife seriously injured her hand in the course of her domestic duties and was constantly in danger of suffering a similar injury, the remedy would not be to amputate her hand and supply her with an artificial limb, or sever the

nerves so that she could no longer feel the pain, but rather to provide her with reasonable and lawful safeguards, or in the worst eventuality, forbid her to engage in such work again. Likewise, the dangers which may be associated with married life and the bearing of children are not overcome in a reasonable way by interference with the integrity of the body of either spouse, but can be lessened by the restricted use of marriage rights, according to the order of nature, and with the assistance of divine grace. In an extreme case, it may be necessary to abstain from marital relations altogether, but it is not lawful to deprive the woman of the natural integrity of her healthy body to enable her to seek the secondary ends of marriage without any consequent anxieties, since her continued existence as an individual human being does not depend on the exercise of marriage rights.

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SHORT NOTICE

THE DIARY OF A MEDICAL MISSIONARY OF MARY. (Dublin: Browne & Nolan Ltd. 1957. 128 pp. 5/- stg.)

An unusual photograph taken from a plane above the clouds adorns the board cover of this little book, which tells in diary form something of the lighthearted heroism of the Medical Missionaries of Mary who wing their way from Drogheda to the west coast of Africa. There, in the vast territory of Nigeria, they are changing the face of the pagan world. The writer seems to be a professed nun of the Order at St. Luke's Mission, Anua, Uyo. She has two essentials of a good writer: a well-stocked mind and a sense of humour. We follow her with interest as she goes from St. Luke's Hospital to St. Mary's Hospital, thirty miles away beyond the intervening forest. Both hospitals are training schools for nurses with a Nurses' Home and lecture-rooms, and, of course, a maternity hospital. Certainly the Medical Missionaries of Mary are fulfilling a wonderful apostolate in Nigeria. This conviction grows on us as we read of their Hospital and settlement for Lepers.

The diary clearly has been written and published for Irish consumption, to show the stay-at-homes how effectively mission contributions in Limerick or Drogheda are being put to work in Nigeria. And certainly, after reading this bright, brave and witty account of mission activities, any Catholic of vision would feel proud to contribute something to the spread of the Faith in Africa.

M.O.

Canon Law

ARE PARISHES IN AUSTRALIA ALSO BENEFICES—ARE PARISHES ALWAYS BENEFICES—CONSEQUENCES OF PARISHES IN AUSTRALIA BEING BENEFICES — IS AUSTRALIA STILL UNDER THE SACRED CONGREGATION OF PROPAGANDA FIDE.

Dear Rev. Sir,

I wonder if you would help through the columns of the A.C.R.

1. Is every parish in Australia to be regarded as a benefice?

2. Is it possible to have, anywhere in the world, a parish (in the strict sense) which is not also a benefice (in the strict sense)?

3. What practical consequences would follow from the conclusion that every parish in Australia is a benefice?

4. In discussing this question in the A.C.R. (April, 1930) Dr. J. Nevin said that then, i.e., in 1930, we in Australia were still under the Congregation for the Propagation of the Faith. Does that still hold?

CONFUSED.

REPLY

It is clear from our correspondent's letter that he had before him an article written on this matter by Monsignor J. Nevin in an earlier issue of the Australasian Catholic Record (April 1930). It also appears to us to be a reasonable presumption in the circumstances that our correspondent would appreciate, not only the answers to his questions as we see them, but also a discussion of these matters in the light of the contents of Monsignor Nevin's article and the opinions expressed in it. We feel that, in any case, this method will undoubtedly bring into the discussion the general canonical doctrine on the matters at issue as well as its application to Australian conditions. We will now endeavour to answer individually and in order the four distinct questions submitted by our correspondent.

THE FIRST QUESTION

The first question proposed for our discussion is: "Is every parish in Australia to be regarded as a benefice?" In his answer to this same question Monsignor Nevin—in the article already referred to—defended the opinion that parishes in Australia are in fact benefices. In the absence of any authoritative decision to the contrary, it appears to us that a very strong case can be made

out in support of this opinion. It is this line of argument that we will first pursue and elaborate.

Since, however, the idea of Australia as a missionary country will occupy a prominent place in the following discussion on this question, we think it well, by way of introduction, to direct attention immediately to two points: (a) It is a fundamental principle of what we may term Missionary Canon Law, that is, Canon Law in missionary countries, that the common law ordinarily obtains also in missionary territories, that is, in territories subject to the Sacred Congregation of Propaganda Fide. In the very first canon of the Code of Canon Law it is stated that the Code binds the Latin Church but not the Oriental Church except in certain matters. Therefore, since no other exception is made, it may legitimately be concluded that in so far as missionary territories follow the Latin Rite they are also subject as a general rule to the canons of the Code of Canon Law: (b) It can also be stated at the outset—even though we must return to this point when we come to concern ourselves with our correspondent's fourth question—that Australia is still subject to the Sacred Congregation of Propaganda Fide. The implication, however, is that Australia, even though it is in consequence classed as a missionary country, is also subject as a general rule to the common law of the Code. Special faculties have been granted to the Ordinaries of Australia through the Sacred Congregation of Propaganda Fide, but this does not derogate from the general principle.

We think it is sufficiently clear from the brief letter of our correspondent that there is in his mind the idea that parishes in Australia may not be benefices, or at least that it is not clear that they are benefices, for the reason—even apart from any other consideration—that Australia is still regarded as a missionary country in that it still remains under the jurisdiction of the Sacred Congregation of Propaganda Fide. In the article already referred to Monsignor Nevin makes explicit mention of this apparent difficulty. He writes: "The idea of a pastor holding a canonical Benefice in a Missionary country—and Australia, while it remains under the jurisdiction of the Sacred Congregation of Propaganda, must be regarded as such—is so new and contrary to our preconceived notions of a Benefice, that one's first impressions are totally against it. Such an idea was entirely outside the concept of the old canonists who compiled their tomes *De Beneficiis Ecclesiasticis.*" He then goes on to remark

that his own suggestion to "a very eminent member of the Roman Curia" that there could be parochial benefices in a missionary country had "shocked his canonical susceptibilities." While we will be returning to this point during the discussion that follows, it can be pointed out immediately that our introductory remarks have made it clear that this fact, namely, subjection to the Sacred Congregation of Propaganda Fide, does not of itself constitute a sufficient ground of exemption from the general provisions of the common law. Hence, the relevant provisions of the Code should be examined to see to what extent they are applicable, and the answer to the question under consideration should then be formulated in accordance with strict law and not influenced by preconceived ideas.

The legislator himself has given in the Code a precise and clear definition of the particular canonical institution with which our query is concerned. The canonical definition of an ecclesiastical benefice is contained in canon 1409, which states: "An ecclesiastical benefice is a juridical entity, permanently established by competent ecclesiastical authority, consisting of a sacred office and the right of receiving the revenue which accrues from the endowment of that office." This canon should also be considered in conjunction with canon 1410, since this latter canon describes an important constitutive element of the definition of an ecclesiastical benefice, and has a particular application as far as our present query is concerned. Canon 1410 states: "The endowment of a benefice is constituted either by the property owned by the juridical entity itself, or by the certain and pledged contributions of some family or moral person, or by the certain and voluntary offerings of the faithful which belong to the rector of the benefice, or by the so-called stole fees within the limits determined by diocesan taxation or legitimate custom, or by choir allotments, exclusive of a third part of them, if the entire revenue of the benefice consists of these choir allotments."

Now, since the general principle already set down states that the provisions of the common law ordinarily obtain even in missionary territories, and since canon 1409 itself does not contain any distinction or limitation, it should surely follow that, unless some well-founded reason for the contrary can be advanced, this definition of an ecclesiastical benefice applies to territories under the jurisdiction of the Sacred Congregation of Propaganda Fide, as well as to territories under the Sacred Con-

sistorial Congregation and subject to the common law in all of its ramifications. As far as our present subject is concerned, of course, this is simply another way of affirming that, unless some solidly founded reason can be adduced for affirming a restricted application of the definition, a parochial benefice can exist even in a missionary territory if the elements of the canonical definition of canon 1409, supplemented by canon 1410, are found to be verified. Hence, the line of argument continues, it would appear to follow as a logical conclusion that the parishes in Australia should be classified also as canonical benefices, since they are juridical entities, permanently established by the competent ecclesiastical authority, and they consist of a sacred office to which is attached the right of the incumbent to receive any revenue accruing from the endowment of the office, which endowment, in our conditions, is constituted by the voluntary and certain offerings of the faithful. No indication can be found that, even though these elements are verified in parishes existing in localities subject to the jurisdiction of the Sacred Congregation of Propaganda Fide, they are not included by the legislator. In fact, the evidence is to the contrary; for in this matter the law does not make any distinction, and hence it may legitimately be argued that where there is no distinction there is no exception. Consequently, there can be no justification on our part for making any such distinction and consequent restriction, when in fact the legislator himself has not seen fit to do so. It would be a purely arbitrary action on our part and devoid of any solid canonical foundation, no matter how canonically sensitive one might be to the idea that true parochial benefices may exist in missionary countries. The entire question should be determined in accordance with the existing legislation, and any preconceived notions and feelings should give place to legitimate reasoning from such legislation.

Moreover, it would appear that this opinion could also seek to argue that, far from drawing illegitimate conclusions or putting forward unacceptable doctrine, it is really an opinion to which the legislator himself has given approval in another way; for this would seem to be the conclusion to be drawn from an analysis of canon 1415. The relevant sections of this canon read as follows: "§1. Benefices are not to be erected unless it is certain that they have a stable and adequate endowment from which an income can be perpetually derived, in accordance with canon

1410. . . . §3. However, it is not forbidden to erect parishes or quasi-parishes even if adequate endowment cannot be set up, provided it can be prudently foreseen that what is needed will not be wanting from other sources." It is, therefore, to the first and third sections of that canon, as well as to the whole context in which the canon is located, that our attention should be directed.

In the first place, as far as the context is concerned, this particular chapter of the Code (canons 1414-1418) treats of the erection of *benefices*. The chapter is entitled: "De constitutione seu erectione *beneficiorum*." In accordance with this heading the legislator sets down in the first section of canon 1415 the general principle that benefices are not to be erected without the necessary endowment; but almost immediately he makes an exception in the law itself, and affirms in the third section of this canon that parishes and quasi-parishes may be erected even though such endowment is not verified provided the necessary support of the incumbent will be otherwise forthcoming. It is clear—as far as our present purpose is concerned—that the legislator can only be speaking of parishes and quasi-parishes as benefices. Therefore, there can hardly be any reasonable doubt that, considering both the text and the context, quasi-parishes may be benefices; and this remains true no matter which of the opinions as set out in the reply to our correspondent's second question is preferred. The important point here, however, is that—as defined by the legislator himself in canon 216, §3—quasi-parishes are territorial divisions of vicariates and prefectures apostolic; and, in turn, these are territories subject to the Sacred Congregation of Propaganda Fide; they are missionary territories. The lawful conclusion surely is that the legislator is equivalently stating that parochial benefices may exist even in territories subject to the Sacred Congregation of Propaganda Fide. This additional consideration should be sufficient to eliminate the feeling that true parochial benefices cannot be regarded as existing in missionary territories. Consequently, this opinion proceeds, there does not appear to be any objection on this ground to the recognition of parishes in Australia as benefices, since the elements required by canons 1409-1410 are verified in them.

This opinion would also argue that a further confirmation of its position can be derived from an important document which, while in itself it was certainly not intended for Australia, does in fact bear upon the point at issue. This document is a letter written

in 1922 by the Apostolic Delegate of the United States to the Ordinaries of that country. The Apostolic Delegate had previously proposed certain questions to the Pontifical Commission for the Interpretation of the Code, and these questions related to the canonical status of parishes in the United States. In the letter to which we are referring the Apostolic Delegate conveyed to the Ordinaries of the United States the answers given by the President of the Code Commission, Cardinal Gasparri, to these questions; and amongst other things the Apostolic Delegate related the following information: "His Eminence, the President of the Commission, added moreover that a parish is always an ecclesiastical benefice according to canon 1411, 5^0, whether it has the proper endowment (resources or revenue) as described and defined in canon 1410, or even if lacking such endowment (resources or revenue) it be erected according to the provisions of canon 1415, §3" (Bouscaren, Canon Law Digest, 1, p. 150). This statement from an authority who was both the President of the Code Commission and also the outstanding figure in the compilation of the Code itself seems—it is argued—to provide confirmation of the strongest kind that in canon 1415, §3 there is question of parishes *in as much as they are benefices;* and, therefore, at least indirectly it implies that the same canon is also referring to the erection of quasi-parishes *as benefices,* since the legislator in that canon joins the terms *parishes* and *quasi-parishes* and applies the identical ruling without distinction. Consequently, since the reply of the President of the Code Commission implies that quasi-parishes may be benefices, it may legitimately be taken as confirmation of the opinion that parochial benefices may exist in territories subject to the Sacred Congregation of Propaganda Fide.

This line of argument, therefore, would conclude by asserting that—as the foregoing comment suggests—the legitimate conclusion to be drawn from the application of the principles established in the Code of Canon Law is that the parishes in Australia, and they are *verae paroeciae* according to the IV Plenary Council of Australia (cfr. decree 178), are also benefices. This line of argument also emphasizes that the force of this conclusion, based on strict law, is not diminished in any degree by a feeling that all cannot be right with an opinion which insists that true parochial benefices can exist in missionary territories, and it asserts that such a feeling or objection has no canonical

justification and appears at the most to be the left-over product of a pre-Code concept.

We now feel that the foregoing discussion is sufficient to provide ample justification for our opening remark that a strong case could be offered for the affirmative answer to our correspondent's question, or in other words, that a strong case could be made out for the opinion that the parishes in Australia are also benefices. This, moreover, is in accord with the opinion expressed by Monsignor Nevin in his article written in 1930 and to which our correspondent refers. However, we have come to the knowledge of a private reply sent by the Sacred Congregation of Propaganda Fide to the Apostolic Delegate of Australia, and dated 8th June 1931 (i.e., approximately a year after the publication of Monsignor Nevin's article), which bears directly on the point at issue and must be incorporated into this discussion. This private reply from this Sacred Congregation was concerned with a question that had been directed to the Congregation through the Apostolic Delegate; and this question was necessarily bound up with our present problem since it related to the provisions of canon 1435 concerning appointments to certain kinds of benefices and the application of those provisions in Australia *as a missionary country subject to the Sacred Congregation of Propaganda Fide.* In reality, it was not possible to answer the question unless a definite stand—affirmative or negative—was first adopted concerning the question as to whether the parishes in Australia were also benefices.

As far as our present problem is concerned the relevant points contained in this letter of the Sacred Congregation may be summarized in the following propositions:

(1) The conclusions contained in the letter were arrived at after consultation with "a competent authority" ("... dopo di aver consultato in merito persona competente. . . .").

(2) The "parochial districts" of Australia, organized in accordance with the dispositions of the III Plenary Council of Australia (1905), "are not true and proper benefices."

(3) In order to have a true and proper benefice it is necessary that the incumbent should have the right to receive an income from an endowment consisting of movable or immovable goods and attached to the office; but the bishops of Australia are not obliged by the provisions of the III Plenary Council to set up an

endowment of this kind from which a fixed income may be derived in perpetuity.

(4) The reason why endowments of this nature have not been established is because the pastors of these "parochial districts" have derived their support from the voluntary offerings—often very considerable—of the faithful, rather than from revenue accruing from capital endowment. It is true that "according to more recent law the endowment of a benefice, in the wide sense, may be constituted by the 'certain and voluntary offerings of the faithful which belong to the rector of the benefice' "; but—the letter proceeds—in this case, in order that the office become a benefice, these offerings must be assigned as a definite income to the incumbent by means of an explicit document issued by legitimate authority, so that the incumbent would obtain a proper right to such offerings.

(5) Such an act is not imposed on the Ordinaries by the provisions of the III Plenary Council, to which the bishops will certainly have conformed in ruling their dioceses.

(6) The letter states that consequently up to that time true and proper parochial benefices have not existed in Australia, and that the provisions of canon 1435 (the occasion of the letter) do not apply in Australia.

To our knowledge there has not been any communication of a similar nature since the above-quoted letter of the Sacred Congregation. Before leaving this question, however, we would respectfully offer some observations concerning that letter and later development in Australia.

In canons 1409-1410 the legislator sets down what is necessary to constitute a true ecclesiastical benefice, and does not make any distinction between benefice or endowment in the strict and wide sense. It would be expected, therefore, that when the elements set down in these canons are verified, a true and proper ecclesiastical benefice would exist. As will be pointed out in the answer to our correspondent's third question, the legislator in the Code has widened the concept of the endowment that can constitute an ecclesiastical benefice from that which existed prior to the Code; for the kind of endowment envisaged in pre-Code times consisted rather of capital funds and property attached to the benefice itself and producing revenue. The idea of the "certain and voluntary offerings of the faithful" as constituting the endowment of a benefice is, therefore, relatively recent; but the point

is that as the law now stands (and this was so when the above letter was written) this comparatively new type of endowment certainly appears to be on an equal footing with property—movable or immovable—of the juridical entity itself as being capable of constituting the endowment of a benefice. The list given in canon 1410 is to be understood in the disjunctive sense, in that any of the elements mentioned may constitute the endowment of a benefice. But it is difficult to avoid the impression that in the letter under consideration prominence is given to the idea that only the property form of endowment is the proper kind, and that the voluntary offerings form of endowment is rather secondary and incomplete. This, then, appears to be in conformity with the pre-Code situation rather than with the situation as it now is as a result of the Code, which was in existence when the above letter was issued. Moreover, as has already been pointed out, the parishes in the United States were declared in 1921 to be benefices, and yet the common form of endowment in these parishes consists in such offerings.

The letter of the Sacred Congregation affirms that, in any case, there should be an explicit document, issued by the legitimate authority, by which these offerings would be assigned to the incumbent of the parish, and he would then obtain a true and proper right to them (". . . un diritto vero e proprio . . ."). Concerning this point we would respectfully offer the following observations.

In the first place, even if it were to be conceded that, especially since several sources can constitute the endowment of the benefice, it should be expressly stated in what precisely the endowment does consist, one wonders whether the same need would still be present when in point of fact—as is the case in regard to our parishes—there is no other source of endowment but these voluntary offerings. Would it not seem to be unnecessary in such circumstances? The implication that it would not be necessary in such circumstances seems to be contained in a solution to a case given by the Sacred Congregation of the Council on 16th July 1927. Among other things this Sacred Congregation stated in its solution: ". . . It is true that canon 1410 declares that an endowment may consist also of certain offerings or stole fees; but this applies either when there are no other revenues, or when it is certain that part of the endowment was expressly designated as consisting of stole fees or offerings. . . ." (cfr. Bouscaren, Canon

Law Digest, vol. 1., p. 696). Does not this statement imply that when such offerings are the sole revenue, no express designation of them as constituting the endowment is necessary?

In the second place, the conclusion to be drawn from the above letter of the Sacred Congregation of Propaganda Fide is that the incumbent of the parish cannot be said to have a true and proper right to the certain and voluntary offerings unless this is given him by an express document. Apart from what has been said in the previous paragraph, it seems to us that both in fact and by custom the incumbents of our parishes have been acknowledged to have a certain right to these offerings of the faithful. In any case, however, it would now appear that this point has been sufficiently determined by the IV Plenary Council of Australia, which was held in 1937 (i.e., several years after the letter of the Sacred Congregation of Propaganda Fide). This letter of the Sacred Congregation had appealed to the statutes of the III Plenary Council of Australia (1905); but Decree 6 of the IV Plenary Council declares that those decrees of the preceding Plenary Councils which were still in force up to that time, and "which are neither implicitly nor explicitly contained in the decrees of this Council, are revoked." If, as a consequence, we attend to the decrees of this IV Plenary Council, it appears to us that it is difficult to avoid the conclusion that the parishes in Australia are benefices. Especially does the combined consideration of Decrees 178, 223 and 667 seem to lead to this conclusion. In Decree 178 the Plenary Council declares that parishes *etiam in regionibus nostris* are true parishes, and that the priests who have charge of them are true parish priests with the rights and obligations of pastors unless the contrary is stated; while Decrees 223 and 667 impel the conclusion that by the legitimate authority for the entire territory of Australia the voluntary offerings of the faithful have been constituted the endowment of parishes in the same territory, and that the pastor has the right ("jus est parocho") to these offerings. These, then, are the relevant provisions of the IV Plenary Council to which, if we might use the words of the letter of the Sacred Congregation, "the bishops will certainly have conformed in ruling their dioceses." This means that the parishes in Australia are canonical parishes, that they have an endowment explicitly attached to them by the legitimate authority for the whole of Australia, and that this same

authority has vindicated for the pastors the right to such endowment.

This surely is the situation that led the first President of the Pontifical Code Commission to remark—in words already quoted —that "a parish is always an ecclesiastical benefice . . . etc."; and also that enabled the then Apostolic Delegate of the United States to add in his letter already referred to: ". . . It is evident from this official answer that all the parishes of the United States having the three necessary qualifications, viz., (1) a resident pastor; (2) endowment (resources or revenue according to the provisions of canons 1410 or 1415, §3); and (3) boundaries, are not only parishes in the strict canoical sense, but are also ecclesiastical benefices" (cfr. Bouscaren, Canon Law Digest, vol. 1, p. 151).

THE SECOND QUESTION

The second question proposed for our discussion is: "Is it possible to have, anywhere in the world, a parish (in the strict sense) which is not also a benefice (in the strict sense)?"

Our correspondent indicates in the very words with which he proposes this question that, whereas his first question had particular reference to Australia, this second question is of a general nature. It appears to us that arguments can be adduced for both the affirmative and negative answers to our correspondent's second question; and we will now proceed to give an outline of the two opinions.

The first opinion would maintain that every parish in the strict sense is also a benefice in the strict sense. In support of this contention an appeal can be made to canon 1415, already quoted in our discussion concerning the previous question. This canon is contained in the chapter dealing with the erection of *Benefices,* and in the first section of that canon the legislator states that benefices are not to be erected without the necessary endowment; but—he proceeds to state in the third section of the canon—it will still be lawful to establish parishes without such endowment provided the necessary support for the incumbent is otherwise forthcoming and certain. Considering the context and the text the conclusion is that the legislator is stating that parishes must ordinarily have their own adequate endowment and thus certainly be erected as benefices; but that a parish may also be erected as a benefice provided adequate revenue is forthcoming from other sources. Of course—and the implication is clearly

contained in the canon—this is not to be the normal thing; in fact, it is simply not permissible if there is question of erecting a benefice other than a parish or quasi-parish, since the canon clearly makes the exception only in their favour and permits them only to be erected as benefices in this exceptional way. Thus, this first opinion reasons that according to canon 1415 proper parishes are to be erected as benefices, whether the endowment be as set down in canon 1410 or whether it be extended somewhat in that the legislator permits it to come from other sources but be certain, so that in fact the revenue of a parish erected lawfully in this second manner has a stability about it. Thus, even a parish erected in this latter way is made a benefice in law and for the purposes of law. Hence, Coronata remarks that the exception of canon 1415, §3 is not such as to imply a dispensation from endowment altogether, for some such endowment seems to be of the nature of a benefice, but simply from the 'dos congruum' of canon 1415, §1; hence, if it were lacking altogether, it should not be erected as a separate juridical entity (cfr. Coronata, Institutiones Iuris Canonici, vol. II, n. 978).

Moreover, this opinion cannot but make an appeal also to the previously-quoted letter of the Apostolic Delegate of the United States. For in this letter the President of the Pontifical Code Commission is quoted as affirming a principle which has a direct and immediate bearing on our present problem. As we have seen, the letter stated: "His Eminence, the President of the Commission, added moreover that a parish is always an ecclesiastical benefice according to canon 1411, 5^0, whether it has the proper endowment (resources or revenue) as described and defined in canon 1410, or even if lacking such endowment (resources or revenue) it be erected according to the provisions of canon 1415, §3." (Bouscaren, Canon Law Digest, vol. I, p. 150). Since the implication of canon 1415 is that a parish should always be erected in one of these two ways, it follows that the President of the Code Commission was really stating that a parish must always be a benefice if it has been lawfully erected.

The second opinion in this matter would maintain that it is possible to have a parish in the strict sense which is not also a benefice. In support of this contention an appeal can also be made to canon 1415, that is, to the same canon of which the first opinion made use. This second opinion, however, would seek to argue that the third section of canon 1415 implies that there may

be parishes which are not benefices. This opinion would reason in the following way: The first section of canon 1415 affirms the principle that benefices are not to be established unless it is certain that they have a stable and adequate endowment from which, in accordance with canon 1410, revenue may be permanently derived. Then, in the third section of the same canon (1415) the legislator in effect states that he is prepared to allow an exception, namely, to allow parishes to be erected without such an adequate endowment provided the Ordinary prudently foresees that what is needed will not be wanting from other sources. This is simply another way of saying that he is prepared, on fulfilment of the expressed condition, to permit the establishment of a parish which would not be a benefice since the endowment element of canons 1409-1410 is strictly lacking.

Moreover, this opinion would seek to emphasize that the reply of the President of the Code Commission—used as a basis of argument by the other opinion—is directly concerned only with the United States and is not necessarily of universal application, especially since there has not been any official universal promulgation of the contents of the reply, as would be expected in accordance with canon 17. In this sense it may be regarded as a private document. Moreover, in any case—this opinion would seek to argue—it may legitimately be questioned whether this document is directly concerned with the matter under discussion, since it came into existence as a result of inquiries that were concerned with ascertaining the nature of the territorial divisions of dioceses which were in existence before the Code of Canon Law itself and with the necessarily-connected obligation of the Missa pro Populo.

Therefore, it appears that both opinions would agree that parishes should never be established except in accordance with canon 1415, §1 and §3, and that, therefore, there could not be parishes in the strict sense in any other conditions. But the second opinion would claim that parishes erected in accordance with canon 1415, 3 are not benefices; while the first opinion would maintain that, because of the express provision of law, parishes are erected even in such cases as benefices.

THE THIRD QUESTION

The third question proposed for our discussion is: "What practical consequences would follow from the conclusion that every parish in Australia is a benefice?"

In the first place, it can be pointed out that this question is not concerned with the rights and obligations that are attached to parishes as such, but rather with the additional rights and obligations that are incurred from the fact that a parish is in addition an ecclesiastical benefice. Now, the rights and obligations of incumbents of benefices are set down especially in canons 1472-1484 of the Code of Canon Law. It would, of course, be impossible to comment here on the contents of all these canons. In any case, however, it does not appear from the manner of his question that our correspondent has in mind to request such a prolonged commentary on the various effects that follow from the fact that an office is also a benefice. Rather, having before our mind both his emphasis on the word 'practical,' and also the fact that in proposing his questions he was influenced—as has been pointed out—by the article of Monsignor Nevin, we feel that we will be fulfilling his request sufficiently and at the same time treating in reality of the motivating cause of this third question if we offer our comments on the practical consequence expressed in canon 1473.

Canon 1473 states: "Even though the incumbent of a benefice has other goods that are independent of the benefice, he may freely make use of the revenue of the benefice for his proper maintenance; but he is bound by the obligation of giving whatever is over and above to the poor or to pious causes, with due regard for the ruling of canon 239, §1, n. 19." At the outset, however, we feel that a distinction should be made since it affects the discussion on the question. We should distinguish between the strictly juridical obligation concerning the distribution of superfluous revenue that arises from the fact of possession of an ecclesiastical benefice and the moral obligation that may arise from another source. We are concerned here with the strictly juridical obligation which arises from the provision of canon 1473; and, in its application to parishes in Australia (that is the question of our correspondent) it means that if these parishes are to be considered also as benefices, there would exist on the part of the incumbents of these parochial benefices the canonical obligation to distribute superfluous income from the benefice to the poor or to other pious causes.

There would not be any doubt about the obligation or its applicability in such circumstances. But it appears that there might be a doubt at least in regard to the kind of revenue to which this obligation—certain in itself—would apply.

Thus, in the first place, it might be argued that the goods referred to by the canon in question, from which the superfluous revenue is to be given to charitable and pious causes, are simply those goods and that property which belong to the juridical entity as such and of which the beneficiary himself enjoys only the usufruct without becoming the owner; as the lawful possessor of the benefice he becomes the owner only of the revenue that may be forthcoming from such properties or capital funds which themselves remain the possessions of the benefice as such. In this opinion the other revenue of the benefice, such as the voluntary offerings of the faithful, may be regarded simply as being given to the incumbent of the benefice personally. Thus, even if it were not to be classed as patrimonial property strictly so called, it may be categorized at least as quasi-patrimonial property and thus not as ecclesiastical revenue in the proper sense. The consequence would be that the incumbent would not be under any canonical obligation to distribute to pious causes the superfluity accruing from such revenue, since the canon states that even though he has means that are other than the revenue obtained from the benefice itself (i.e., patrimonial and quasi-patrimonial revenue, and this would include the voluntary offerings as explained above), he may freely dispose of the latter (i.e., the revenue accruing from property or capital belonging to the benefice as such) for his own decent sustentation, but he is bound to give to pious uses whatever is over and above (i.e., from revenue coming from such goods belonging to the benefice as such).

Thus, the distinction made by this opinion implies that the voluntary offerings may be regarded as property independent of the benefice as such, and therefore as excluded from the obligation of the canon; while the obligation should be regarded as relating only to the revenue that comes from ecclesiastical property strictly so called, that is, from any property or capital funds attached to and belonging to the benefice as a moral person. In other words, according to this opinion "the certain and voluntary offerings of the faithful," while they can constitute the endowment of the parochial benefice, become the personal property of the incumbent and thus are not subject to the juridical obligation relating to the distribution of superfluous income.

On the other hand, however, it might at least equally well be argued that in the light of the present Code legislation the

obligation regarding the distribution of superfluous income would include even the voluntary offerings of the faithful which constitute the endowment of the benefice, as would be the case if the parishes in Australia were benefices. It is true that these certain and voluntary offerings would not constitute the *fructus beneficii* as this was understood before the Code; but in accordance with the ruling of canon 1410 they may now constitute the endowment of a benefice, and it is according to the Code law that this question should be decided. This opinion reasons that canon 1473 should be understood in the light of canon 1410. Canon 1473 simply speaks of superfluous revenue deriving from the income of the benefice, and it does not make any distinction or exception relating to the sources of such income as set down in canon 1410.

Thus, viewing the whole matter in the light of the provisions of the Code itself, which has introduced a change in the matter of what may constitute the endowment of a benefice, it can certainly be argued that it would seem to be arbitrary to make the distinction and consequent restriction made by the previous opinion when the legislator himself has not done so, and—so it would appear—has quite deliberately omitted to do so. After all, if canon 1410— as it does—sets out the sources of revenue that can constitute the endowment of a benefice, and then canon 1473—as it does—simply speaks of the obligation regarding superfluous revenue derived from the benefice, it can surely be argued with every justification that the ruling of canon 1473 applies equally and without exception to all the sources of revenue mentioned in canon 1410.

Our own feeling in the matter is that, if one keeps in mind that a new and wider concept of ecclesiastical benefice has been introduced by the Code and thus confines the sources of argument to the provisions of the Code as they are, the second opinion would be the correct opinion. This would mean that the juridical obligation regarding the distribution of superfluous income would extend to superfluous income arising out of "the certain and voluntary offerings of the faithful" as constituting the endowment of the benefice; for as the canonical legislation now stands these contributions would be included under the *fructus beneficii,* especially when there was no other source of income attached to the benefice.

THE FOURTH QUESTION

The fourth question proposed for our discussion is: "In

discussing this question in the A.C.R. (April 1930) Dr. J. Nevin said that then, i.e., in 1930, we in Australia were still under the Congregation for the Propagation of the Faith. Does that still hold?"

In fact, we have already had occasion to point out that the answer to this question is in the affirmative, that is, Australia is still subject to this Sacred Congregation. However, we think that it is quite understandable that our correspondent should have asked this apparently simple and easy question. It is possible that he was prompted to ask this question on at least two grounds: (1) The matter assumed rather a prominent place in the article of Monsignor Nevin, which our correspondent obviously had before him: (2) Our correspondent may have had some uncertainty on the point on account of the contents of canon 252 of the Code of Canon Law. This canon is concerned with defining the extent of the competency and jurisdiction of the Sacred Congregation of Propaganda Fide, and the third section of the canon reads as follows: "The jurisdiction (of the Sacred Congregation) is limited to those regions where the sacred hierarchy is not yet established and the conditions of mission lands still prevail. To this Congregation are also subject those regions in which the hierarchy, although established, is still in its incipient state. . . ."

In the face of this ruling it is comparatively easy to sympathize with any uncertainty on the part of our correspondent; for with this canon and the fact of the established and developed hierarchy of Australia before one's eyes, there is a certain difficulty in seeing how Australia, despite its comparative youth as a country, should still be subject to the jurisdiction of the Sacred Congregation of Propaganda Fide and thus regarded as a purely missionary country. It is to be admitted that there is difficulty in maintaining that in Australia "the sacred hierarchy is not yet established and the conditions of mission lands still prevail," or that "the hierarchy, although established, is still in its incipient state." We must also confess that we are aware that certain legal authorities have themselves also expressed such an opinion, and it would seem that canonically there is some justification. However, we presume that in the last analysis the matter is dependent on the positive will of the legislator; and thus, in

fact, Australia remains subject to the Sacred Congregation of Propaganda Fide.

G. C. GALLEN,

St. Mary's Cathedral, Sydney.

SHORT NOTICE

A SAINT A DAY, By Berchmans Bittle, O.F.M.Cap. (Bruce Publishing Coy., Milwaukee, 1958. 356 pp. 51/6.)

This publication is attractive in size and format, easily readable, and is the type of book that would appeal to a layman who wishes to know more about the saints. For the most part, the book follows the liturgical calendar of the Church, as contained in the Roman Martyrology, and this is quite a good reference book. Besides the Index at the beginning of the book, it also contains at the end a general list of the saints, and those are specially listed who are patron saints or those invoked in special cases.

It is a book that is admirable in ideal, but which loses in the compilation due to the brevity of the accounts of the lives of the saints. In a publication of this kind, one must be very wary of accepting legends, pious as they may be, as Gospel truth. This is something that the compiler has attempted to do, and he has succeeded in avoiding legends in the great majority of cases. For example, January 24th, St. Timothy, the account is taken almost directly from the Acts of the Apostles, or from the Epistles of St. Paul. When mentioning St. Timothy's death, the compiler notes that the account is taken from the "Acts of St. Timothy." While, however, this fact is good, one can err not merely by excess—in these cases—but also by defect, and it is here that the fault of this book appears to be. The compiler, Father Bittle, states in his foreword that he aims "at no more than to give a framework of the life of each day's saint," with the hope that it may serve as a brief reading "for inspiration, encouragement and solace." This would be excellent if it could be achieved, but unfortunately it seems to appear that the framework is perhaps a little too sketchy, and does not give one enough to obtain "inspiration, encouragement and solace." Perhaps it may be better explained by suggesting that the book appears to be a "Who's Who" of the calendar of the saints.

For a person who wishes to make the acquaintance of the saints he meets liturgically in his missal, this book could be the answer, but he who wishes to gain the wealth of spirituality and doctrine that we have in the lives of many of the saints must seek elsewhere.

D.O'N.

Liturgy

INSTRUCTION ON SACRED MUSIC AND LITURGY

Among the last acts of the Pontificate of Pope Pius XII was the special approval which he gave to an Instruction of the Sacred Congregation of Rites on Sacred Music and the Sacred Liturgy according to the teaching of the two encyclical letters on these matters, *Musicae sacrae disciplinae* and *Mediator Dei.* The Instruction was approved on 3rd September, 1958, feast of St. Pius X, who did so much at the beginning of the century to restore the appreciation and study of the sacred Liturgy and sacred music. The rather lengthy document—it occupies more than thirty pages of the *Acta*—aims to gather together the principal points of recent papal teaching on sacred Liturgy and sacred music, and on the pastoral value of both of them. It is hoped to give some matters previously treated a more precise interpretation, with special attention to their practical application. In a sense, therefore, the document contains little that is really new, but on the other hand it does mark a very definite stage of development in liturgical life of the Church. The following pages aim to give a summary account of the contents of the Instruction.

SOME DEFINITIONS

In the first chapter a number of definitions are given. Liturgical rites (*actiones liturgicae*) are defined as sacred actions which, by institution of and in the name of Jesus Christ or the Church, are performed according to the liturgical books approved by the Holy See by persons lawfully deputed for this function, in order to give proper worship to God, the Saints and the Blessed. From these are distinguished "Exercises of devotion" (*pia exercitia*) which include all other sacred actions, whether they are performed privately or publicly, in a church or not, even when a priest is present or presiding.

A further determination of terminology concerns the Mass. Since the Mass is an act of public worship, offered to God in the name of Christ and of the Church, irrespective of the place or the form in which it is celebrated, the expression "private Mass" is to be avoided. This term, which has been used by the rubrics, has a variety of meanings, and its elimination will remove a term that was at once ambiguous and self-contradictory. There are two kinds of Masses: sung Mass (*in cantu*) in which the priest-celebrant actually sings what the rubrics set down to be

sung by him; low Mass (*lecta*) includes all other Masses. If the sung Mass is celebrated with sacred ministers it is called a *High Mass;* without sacred ministers it is called a *Missa cantata.* The Instruction also defines the various forms of sacred music.

USE OF LATIN

Latin is the language to be used in all liturgical rites, unless the liturgical books explicitly permit the use of some other language, e.g., the use of English in administering the sacraments according to the *Collectio Rituum.* During liturgical rites it is expressly forbidden to sing a literal translation of any text of the rite, without special permission.

During sung Masses, Latin is the only language in which texts may be sung. The exceptions made for immemorial customs in certain countries do not apply in Australia. In low Masses, when the faithful answer the responses or recite other parts of the Proper or Ordinary proper to them, they may use only Latin. The recitation by a commentator or by the congregation of a literal translation of parts of the Mass is forbidden during low Mass. The Epistle and Gospel are, of course, exceptions to this rule and it is recommended that they should be read to the faithful by a lector on Sundays and feasts.

PARTICIPATION OF THE FAITHFUL

The Instruction first lays down some general rules for the participation of the faithful in the Mass, and then makes some specific applications to sung Mass and to low Mass.

"The Mass of its very nature demands (*postulat*) that all present should participate in it in the manner proper to them.

(a) In the first place this participation must be *internal.* This is achieved by the devout attention of the mind and the affections of the heart by which the faithful 'are most closely united with the High Priest . . . and offer (the sacrifice) together with him, and through him, and with him surrender themselves.'

(b) The participation of the congregation becomes fuller if to this internal attention there is joined *external* participation, expressed by external actions such as bodily posture (kneeling, standing, sitting), ritual actions, but especially by reciting the responses, prayers, or by singing. . . .

(c) Lastly, perfect active participation is achieved when *sacramental* participation is added. . . .

(d) But since the intelligent and active participation of the

faithful cannot be secured unless they are adequately instructed, it may be useful to recall the wise law laid down by the Fathers of Trent. The prescription was: 'The holy Synod commands pastors and all who have the care of souls, frequently during Mass (i.e., in the homily after the Gospel, or in other words "when they are giving catechetical instruction to the faithful") either themselves, or through others, to explain some of the texts that are read, and amongst other things to expound some aspect of the mystery of this holy sacrifice; they should do this especially on Sundays and feasts'" (n. 22).

Participation in a sung Mass. The faithful must be taught to appreciate the excellence of a sung Mass and how to participate in it.

The minimum degree of participation is the singing of the liturgical responses to the priest, e.g., *Amen, Et cum spiritu tuo,* &c. All the faithful must be taught these responses.

The second degree of participation is when the faithful sing part of the Ordinary, viz., *Kyrie, Gloria in excelsis Deo, Credo, Sanctus-Benedictus, Agnus Dei.* If they are unable to sing all this, they may sing what they can and leave the rest to a choir.

To make the matter even more explicit and practical, the Instruction goes on to say that the faithful throughout the whole world are to be taught the simple melodies of Mass XVI in the Roman Gradual, with the *Gloria* from Mass XV. Attention to this rule will ensure that before very long a further ideal that is mentioned may be realized, viz., the parochial or principal Mass on Sundays and feasts should be a sung Mass.

The third degree of participation in a sung Mass is specially recommended for religious communities and seminaries, and is the singing of the Proper of the Mass by all present.

When the *Sanctus* and *Benedictus* are sung according to the Gregorian melodies, they are not divided, otherwise the *Benedictus* is sung after the Consecration.

During the Consecration, the singing must stop, and it is desirable that there should be a sacred silence until the *Pater noster.*

The faithful may recite the *Domine non sum dignus* three times with the celebrant before they receive Communion.

The Instruction aims to restore something of their processional character to the singing of the Entrance, Offertory

and Communion antiphons. It allows the addition of further verses from the psalm already used for the antiphon, or from a suitable psalm in cases in which the antiphon is not taken from a psalm. When there is a large number for Communion, a Latin motet may also be sung after the Communion antiphon while Communion is still being distributed.

Contrary to a report published in some Catholic papers soon after the Instruction was issued, it has nothing to say by way of recommendation of Offertory processions.

PARTICIPATION IN A LOW MASS

"Special care must be taken that the faithful do not assist even at a low Mass as 'strangers or mute spectators,' but that they participate in the way which this great mystery requires and which brings the richest fruits" (n. 28).

The first method of participation is the fruit of the *personal effort* of each one, either by internal attention at the principal parts of the Mass or by external participation according to the various approved local customs. The use of a missal is commended, but it cannot be said to be necessary since there may be some who cannot understand the missal, and others who are unable to derive very much spiritual benefit from its use. Such persons may find it more helpful to use another form of prayer more suited to their individual needs and at the same time in harmony with the liturgical rite.

A second method of participation is when the faithful join in congregational prayers or chants that are appropriate for the various parts of the Mass.

A third and more perfect method of participation is when the faithful answer the liturgical responses in a "dialogue" with the priest-celebrant, and recite the parts of the Mass proper to them. This method may be followed in four stages, each one more complete. In the first stage the faithful answer simply the short responses as *Amen, Et cum spiritu tuo,* etc. In the second stage may be added all the responses made by the server, including also the *Confiteor* before Communion and the *Domine, non sum dignus* three times. In the third stage, the faithful further recite with the priest-celebrant parts of the Ordinary of the Mass, viz., *Gloria, Credo, Sanctus-Benedictus, Agnus Dei.* Finally, some congregations, e.g., religious communities, seminaries, may recite with the priest-celebrant even parts of the Proper of the Mass, i.e., Introit, Gradual, Offertory, Communion.

"In low Masses the faithful may recite together with the priest-celebrant the entire *Pater noster,* since it is a fitting and ancient Communion prayer. But it must be recited in Latin only, the *Amen* is added by all, and any form of recitation (*quavis recitatione*) in the vernacular is forbidden" (n. 32).

Popular religious hymns may be sung during a low Mass, but they must be appropriate for the various parts of the Mass.

The Instruction sets very definite limits to the times at which the organ may be played during a low Mass at which there are no congregational prayers or singing. In such Masses the organ must be silent at the following times:

(a) from the arrival of the priest at the altar until the Offertory;

(b) from the versicles before the Preface until the *Sanctus,* inclusive.

(c) from the Consecration to the *Pater noster,* where it is customary to observe silence at this period;

(d) from the *Pater noster* until the *Agnus Dei* inclusive; at the *Confiteor* before the Communion of the faithful; during the Postcommunion and the Last Blessing. Any contrary practices are to be abolished (*reprobandus*).

THE COMMENTATOR

"The active participation of the faithful, especially in the Mass and in some more complicated liturgical rites, may be more easily achieved if a 'commentator' is present. He shall, at the appropriate time and in a few words, explain the rite itself, or the prayers and readings of the priest-celebrant and the sacred ministers. He shall direct the external participation of the faithful, viz., their responses, prayers and singing. When a commentator is used, the following rules are to be observed:

(a) It is fitting that the functions of commentator be carried out by a priest or at least by a cleric. If none is available, the duties may be entrusted to a layman of upright conduct and well-instructed in his duties. Women may never carry out the functions of commentator. In case of necessity, it is only permissible for a woman to lead the singing or congregational prayers.

(b) The commentator, if he is a priest or cleric, shall vest in surplice and shall stand in the sanctuary or at the altar rails, or in the pulpit or ambo. If he is a layman, he shall stand in a

convenient place in front of the faithful, but not in the sanctuary or the pulpit.

(c) The explanations and comments made by the commentator should be prepared in writing; they should be few, clear and concise; and they should be made at the proper time and in a moderate tone of voice. They must never be superimposed on the prayer of the priest-celebrant. In a word, they are to be so arranged that they are an aid to the devotion of the faithful, not an obstacle.

(d) In directing the prayers of the faithful the commentator shall keep in mind the prescriptions given above (i.e., concerning the use of a literal translation of texts of the Mass). . . .

(e) The commentator must pay attention to the priest-celebrant and follow the sacred rite so that it need not be delayed or interrupted. The whole liturgical rite should be harmonious, becoming and devout" (n. 96).

VESPERS, EVENING DEVOTIONS, BENEDICTION

"Wherever the ancient and venerable custom exists of singing Vespers with the people on Sundays and feasts, according to the rubrics, it is to be preserved. Where it does not exist, it must be introduced as far as possible, at least on some occasions during the year.

"Moreover, local Ordinaries shall take special care that the singing of Vespers on Sundays and feasts is not eliminated by evening Masses. The evening Masses, which the local Ordinary may allow 'if the spiritual welfare of a notable part of the faithful requires it,' must not be detrimental to the liturgical rites and the exercises of devotion by means of which the Christian people have been accustomed to sanctify feast days.

"Accordingly, the custom of singing Vespers or having some exercise of devotion with Benediction of the Blessed Sacrament must be retained wherever it exists, even though an evening Mass may be celebrated" (n. 45).

"Benediction of the Blessed Sacrament is a true liturgical rite, and must be carried out, therefore, as described in the Roman Ritual, tit. X, chap. V. n. 5" (n. 47).

SACRED MUSIC AND MUSICAL INSTRUMENTS

The Instruction distinguishes carefully between the various forms of sacred music. *Gregorian chant* holds the first place as the proper chant of the Roman Church. Its language is Latin, it

does not require any instrumental accompaniment, and it may be used in all liturgical rites. *Sacred polyphony,* both ancient and modern, is performed in several voices without accompaniment. It may be used in liturgical rites if the choir is capable of performing it, and if it conforms with the rules laid down regarding dignity and sacredness. The same may be said of what the Instruction terms *Modern sacred music,* i.e., polyphony composed in accord with more modern musical techniques and often using instrumental accompaniment. *Popular religious singing* includes the great volume of popular vernacular hymns which are strongly recommended as a powerful aid to devotion, because they are usually simple in language and melody, and are adapted to varying national temperaments. They may be freely used in exercises of devotion but not so freely in liturgical rites, as indicated above when speaking of sung and low Masses. *Religious music* is "a powerful aid to religion" since it serves to express and awaken devotion, but in its composition it lacks the reserve necessary for divine worship. It belongs to the concert hall. In special circumstances the local Ordinary is empowered to grant permission for sacred concerts to be held in a church (n. 55).

The pipe organ is the classical musical instrument for use in the church. The use of a harmonium is also permitted. As to "electronic organs," the Instruction adopts a position of reserve. They may be tolerated, with the express permission of the local Ordinary, when the available financial resources are insufficient for a pipe organ.

"In liturgical rites, especially on the more solemn occasions, besides the organ other musical instruments may also be used, preference being given to stringed instruments played with a bow. . . .

(a) they must be musical instruments which can be really adapted to sacred use;

(b) these instruments must be played with such dignity and, as it were, religious chasteness, so as to avoid the sound of secular music and to promote the devotion of the faithful;

(c) the conductor, organist and artists are to be skilled in the use of the instruments and in the laws of sacred music" (n. 68).

"The use of such instruments or 'automatic' equipment such as: auto-organ, gramaphone, radio, dictaphone or tape-recorder,

and anything similar, is absolutely forbidden in liturgical rites and in exercises of devotion, whether they take place inside or outside the church. This is true even though it is used to reproduce a sermon or sacred music, or to replace or even to sustain the choir or faithful in the singing.

"But this equipment may be used, even in a church, but apart from a liturgical rite or exercise of devotion, in order to hear the Supreme Pontiff, or the local Ordinary, or a preacher. It may also be used for instructing the faithful in Christian doctrine, or in sacred or popular religious singing. Lastly, it may be used to direct and sustain the people's singing in processions which take place outside the church" (n. 71).

"Amplifiers may be used both in liturgical rites and in exercises of devotion, when they are used to amplify the voice of the priest-celebrant or of the 'commentator,' or of others who, according to the rubrics or by authority of the rector of the church, are to be heard" (n. 72).

Apart from the Mass of the Chrism on Maundy Thursday morning and before the *Gloria* in the Solemn Mass of the Lord's Supper in the evening, the playing of the organ or the harmonium or any other musical instrument is absolutely forbidden during liturgical rites or exercises of devotion, which are celebrated during the Sacred Triduum, i.e., from midnight at the beginning of Maundy Thursday until the *Gloria in excelsis* of the solemn Mass of the Easter Vigil. Any contrary local customs are abolished (n. 84).

BELLS

"All those concerned are obliged to preserve carefully the very ancient and excellent use of bells as found in the Latin Church" (n. 86).

"Bells are not to be used in churches unless they have been previously solemnly consecrated or at least blessed, and from that time they are to be cared for as befits sacred things" (n. 87).

"Every effort must be made to ensure that all churches, public and semi-public oratories have at least one or two bells, even small ones. It is strictly forbidden to use, instead of sacred bells, any form of machine or instrument which imitates or amplifies mechanically or automatically the sound of bells" (n. 91).

MUSICIANS

Taking account of the important and prominent role which the different members of the choir and other musicians enjoy in the liturgical rites, it is not surprising that the Instruction insists that they should be not merely competent musicians but should also be worthy examples of Christian virtue.

Where the musicians are employed professionally, the local Ordinary should see to it that they receive a proper remuneration for their services and that provision is made for the various forms of social benefits.

EDUCATION

The active and intelligent participation in the liturgical rites requires education. This must begin in the family and be continued in the schools.

"Young men aspiring to the priesthood should, it is clear, be given a complete and sound training both in the entire field of sacred liturgy and in sacred chant" (n. 109).

"Religious, too, both men and women, as well as members of Secular Institutes, should from the time of their probation and novitiate be given a progressive and thorough training in both the sacred liturgy and sacred chant. . . .

"The necessary steps should be taken, moreover, to provide competent instructors to teach, direct and accompany sacred chant in religious communities of both men and women, and in the houses dependent on them.

"The superiors of these religious communities shall see to it that all the members, not merely select groups, are adequately trained in sacred chant" (n. 110).

"It is desirable, indeed, and a serious effort should be made to ensure that every church has its own boys' choir, whose members are thoroughly instructed in the sacred liturgy and especially in the art of singing well and devoutly" (n. 114).

CONCLUSION

Before concluding, some practical points may be mentioned.

Is it still necessary to obtain the permission of the local Ordinary in order to have a "Dialogue" Mass? If the congregation answer all or some of the Latin responses only, in accordance with the rules given above, the permission is no longer required since the present Instruction has established this as a normal form of participation in which the faithful recite those responses

and texts that rightfully belong to them. On the other hand, if in addition to the Latin responses congregational prayers or hymns in the vernacular are added during a low Mass, then such additions must conform to the approved local customs which the local Ordinary has the duty and right to fix. In this case permission may be required by local regulations.

Is it necessary to introduce some form of external participation as described above? "Missa natura sua postulat, ut omnes adstantes, secundum modum sibi proprium, eidem participent" (n. 22). This participation, which is proper to the faithful, is then described: it must be internal—union with Christ in His sacrifice; it becomes more complete when there is added the external participation of gesture, prayers and singing; and the complete participation is attained with the reception of Holy Communion. Hence the determination of what the faithful should sing and say. Again, in introducing the discussion of participation in a low Mass, the Instruction speaks of the faithful exercising that participation "quae a tanto mysterio requiritur, et quae uberrimos affert fructus" (n. 28). One may, therefore, conclude that priests have an obligation to take steps to introduce gradually some form of external participation. Progress may be a little slow at first, but if the foundations are solidly laid, especially in the schools, genuine results will be achieved. It may help to bear in mind that the Mass is a sacred drama in which the priest-celebrant has the principal and essential part, but the other actors also have a right to the parts allotted to them. The official methods of participation may not appeal to all in the congregation, that is only to be expected. Let these not be disturbed, but at the same time let the other members of the congregation not be deprived of their right to participate in the Mass in the manner proper to them.

In a religious community, for instance, is there any reason why the full form of participation should not be followed each day? Two reasons would seem to indicate that it is desirable that the full form of participation would be used each day. Firstly, the nature of the Mass does not change from day to day, and so the same demands follow from its nature. Secondly, when speaking of the Conventual Mass which is celebrated daily in conjunction with the Divine Office, the Instruction says that it should normally be a sung Mass, but when this is not possible and a low Mass is celebrated, it is recommended that

the low Mass be celebrated with the full form of participation for a low Mass. By the same token, the same would be true of the daily community Mass.

FERIAL MASSES DURING LENT

Dear Rev. Sir,

When the *Ordo* gives the details for the ferial Mass before that of the Saint who happens to occur on the same day during Lent, are we to conclude that some preference is shown for the Lenten Mass?

CLERICUS.

REPLY

In introducing the reform of the Breviary and Missal, in 1911, Pope St. Pius X declared that one of his intentions was to restore to their place of honour the Sunday Masses and the ferial Masses of Lent. The rule was fixed that on double feasts other than doubles I and II class, the celebrant of a non-conventual Mass was allowed to celebrate either the Mass of the feria or that of the occurring feast. At first sight this rule might not appear to show any preference for the ferial Mass, but this becomes quite clear from the rule for the conventual Mass. On such days, even though the Office would be that of the feast, the conventual Mass in choir was to be the Mass of the feria. A second Mass was to be celebrated, that of the feast, but this Mass was celebrated outside the choir. If for some reason, only one Mass could be celebrated, this single Mass was to be the Mass of the feria. (We might note that the recent Instruction of the Congregation of Rites has abolished the conventual Mass outside choir.) It is clear, then, that the reform of St. Pius X did give preference to the ferial Masses of Lent over the Masses of the occurring feasts. Hence the reason why the details of this Mass are given first in the *Ordo,* and why in the parish church and in a community, the principal or community Mass should be that of the feria.

The simplification of the rubrics introduced by Pope Pius XII carried this movement a stage further by allowing priests not only to celebrate the ferial Mass but also the ferial office. Maybe in this matter the practical incentive to choose the ferial office is rather more impelling, namely, the comparative brevity of the single nocturn at Matins. It is well, therefore, to keep in mind that this new rule was not prompted merely by a desire to

reduce the length of the office. Likewise, there is no need why a person should feel a certain lack of devotion to the Saints by abandoning their office and Mass in favour of the Lenten office and Mass. On the contrary, to do so is to follow the lead given by the Church in her effort to restore the value and prominence of the temporal cycle of the liturgical year, especially the Lenten season. There is fairly general agreement among writers in their wish to see transferred from Lent the feasts of Saints that now occur during that season. This was the position in the early church, and even as late as the twelfth century there were only thirteen feasts between 4th February and 25th April; to-day there are more than forty feasts.

Could there be a more powerful exhortation to greater spiritual effort during the Lenten season than the texts of the Masses of the season?

P. L. MURPHY.

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SHORT NOTICE

LATE DAWN, by Elizabeth Vandon. Sheed and Ward, London, 1958. 174 pp. 12/6.

Here is an account of an English artist's religious life. Brought up as an Anglican, she early had a most vivid faith in Christ, but gradually she lost faith in God. Mankind were divided for her into two classes: Dopes and Non-Dopes. The Dopes were religious people. After the war years, she went to Aran and Galway for a holiday. By chance she met a priest, who simply told her that he believed in God (she had always thought that even Dopes did not believe what they said they did). He asked her to wear the Miraculous Medal and to say the prayer inscribed on the medal. She eventually became a Catholic. The book is written with great frankness and gives a depressing picture of modern paganism.

L.B.P.

Homiletics

CHRIST OUR LIFE.

Only a few traces have come down to us of the crisis which occurred in the christian churches of Asia Minor towards the end of the first century. One such trace is found in the writings of St. Irenaeus, himself a native of those parts, who mentions a certain Cerinthus who denied that the Son of God had been born of a Virgin. This heretic and his followers claimed, he says, that the Divine Son had taken possession of Jesus at the time of His baptism, only to abandon Him again before the passion. Moreover, Irenaeus explicitly associates St. John's writings with that same crisis, quoting his master Polycarp, who had himself been a disciple of St. John. That the crisis was christological is confirmed by reading St. John's First Epistle. There the Beloved Disciple refers in two passages to those who "disown the Father and the Son," and may be called antichrists (2:22). "This is the test by which God's Spirit is to be recognized: every spirit which acknowledges Jesus Christ as having come to us in human flesh has God for its author; and no spirit which would disunite Jesus comes from God" (4:2-3). These heretics were, or at least had been, christians: "They came of our company, but never belonged to our company; if they had belonged to it they would have persevered at our side" (2:19). They were the first of a long line of "enthusiasts," who, throughout the Church's history, have sought a more "spiritual" interpretation of Christianity. In this instance they had spiritualized Christ to the point of denying the Incarnation.

Although it contains no explicit reference to that crisis, the Gospel of St. John has certainly come to us from that same environment, and the portrait of Christ presented therein is that which was judged by the author to be best suited to strengthen contemporary christians against the insidious dangers which surrounded them. The first three evangelists wrote largely in order to supply information about the life and teaching of Our Lord at a time when such information was hard come by. St. John's aim was more restricted. Consequently, he has chosen just a few incidents and a few discourses, and has narrated them in great detail. There are seven miracles, and about as many sermons. It is a small and specialized selection, closely linked to

the dogmatic end which he had in view. Generally he has avoided repetition, clearly presuming the synoptic Gospels to be known to his readers.

It is now evident why St. John chose as his subject the mystery of Christ. From the first well-known words of the Prologue he took up the study of Christ, God and Man, which was to be his theme throughout. The Word was eternal, distinct from the Father, yet equal to Him (1:1). But it was this same Word who "was made flesh, and came to dwell among us" (1:14). It seems that the evangelist has here deliberately used the term "flesh," suggestive of human weakness, in order to indicate that the Son had in reality taken upon Himself a true human nature, including its limitations. It was this precise contrast between the human and the divine in Christ, between weakness and strength, which Cerinthus found unacceptable, and which led him to invent his ingenious theories. This study of the Person of Christ is pursued by St. John especially in those dialogues between Our Lord and His adversaries in Jerusalem. When accused of breaking the sabbath rest by performing a miracle, He claimed that He enjoyed with His Father the right of disposing of the sabbath as He willed: "This made the Jews more determined than ever to make away with him, that he not only broke the sabbath, but spoke of God as his own Father, thereby treating himself as equal to God" (5:16-18). In these dialogues Christ speaks of Himself consistently as one who has descended from heaven bearing to mankind a message whose authority is therefore beyond doubt. It was before the same audience that He made His statement: "Believe me, before ever Abraham came to be, I am" (8:58). And again they understood quite clearly what He meant: "Whereupon they took up stones to throw at him."

But the mystery always remains. It is this same Divine Son who was wearied by the heat and asked a drink of the Samaritan woman (4:6). Again, He wept for grief at the death of His friend Lazarus (11:35). And, when on the point of death, He thought of providing a guardian for His mother (19:26-27). It is by this continual movement from the divine to the human, and back again, that St. John has penetrated more deeply than the other evangelists into the mystery of Christ. His Gospel was later to play the part of a text book in the christological controversies. It involved no contradiction in his eyes to place

on Christ's lips, in one instance, the words: "The Father and I are one" (10:30), and, a few chapters later, "The Father is greater than I" (14:28). These were no more than two aspects of the mystery of Christ, contradictory in appearance, but indispensable in fact, if the essence of Christianity was not to be lost.

The relationship of the God-Man to humanity is described by St. John in three particular ways. Firstly, He is the Light of the World. Even that illumination which reached mankind before the Incarnation is to be ascribed to Him: "In him there was life, and that life was the light of men. And the light shines in darkness, a darkness which was not able to master it" (1:4-5). John the Baptist was not the Light, but bore witness to the Light. Christ was the true Light of the World. It is usual in this Gospel to find that the events narrated illustrate the doctrines presented. The truth of Christ as Light of the World is illustrated by the miracle of the blind man's cure in Ch. 9. The long and vivid account concludes as follows: "I have come into this world so that a sentence may fall upon it, that those who are blind should see, and those who see should become blind" (9:39). For, just as the Light shone amid prevailing darkness before the Incarnation, so also Christ in His mission encountered the forces of darkness: "He came to what was his own, and they who were his own gave him no welcome" (1:11). "Rejection lies in this, that when the light came into the world men preferred darkness to light; preferred it because their doings were evil" (3:19). As St. John wrote those words he was surely thinking of those contemporaries of his who sought to "interpret" the Incarnation with the aid of current philosophies. This was to reject Christ, to smother the Light.

The second function of Christ among men was that of a life-giver. The life which He gave was that divine life which belonged to Him by nature from all eternity: "In him was life, and that life was the light of men" (1:4). Although He was rejected by many, He brought to those who received Him a new birth, "not from human stock, not from nature's will or man's, but from God" (1:13). It was this same spirtual regeneration which puzzled Nicodemus: "A man cannot see the kingdom of God without being born anew" (3:3). And here again the evangelist has chosen events which underline this truth. The instance of the Samaritan woman is a case in point. Her

conversation with Our Lord revolves around the fact that He can give a "living water" which surpasses by far the perishable water of Jacob's well. This water contains in itself the power of a spring to flow continually and "bring life everlasting" (4:1-15). The miracle of the multiplication of loaves is one of the few borrowed by St. John from the synoptic collection. But in the fourth Gospel it serves to introduce that long discourse in the synagogue at Capharnaum which seems to have been a turning-point in His public ministry. In the earlier part of the discourse Jesus presents Himself as the bread of life which has come down from heaven to give life to the world. Then, as if deliberately wishing to subject His followers to a test, He goes on to speak of another bread which He will give and which will be His flesh for the life of the world (6:26-59). Again, it is an event perfectly suited to illustrate His role as a life-giver. Another instance is the raising of Lazarus. Certainly, St. John has intended by this miracle to indicate the divine power of Christ. But perhaps it was chosen from a host of such events because the words accompanying the event were so striking: "I am the resurrection and the life; he who believes in me, though he is dead, will live on, and whoever has life, and has faith in me, to all eternity cannot die" (11:25).

I think we may rightly deduce that the passion of Christ was a great source of worry to Cerinthus and his followers. Their efforts to explain the Incarnation seem to amount to an attempt to render Christ impassible. For them, as for the Jews of St. Paul's time, the cross was a scandal. Now the first three evangelists had surely taught that Our Lord's suffering was an indispensable part of His work, and no mere mistake in the divine plan. They had depicted Him moving freely and even longingly towards His suffering and death. What could St. John do further? He has merely sought around for some metaphor which might satisfactorily illustrate the role of Christ in suffering for mankind. And he has found what he wanted in the image of the Shepherd and his flock. Christ, the Light of the World, the Life of Mankind, is also the Good Shepherd who gave His life for His flock. "I am the good shepherd. The good shepherd lays down his life for his sheep. . . . This my Father loves in me, that I am laying down my life to take it up again afterwards. Nobody can rob me of it; I lay it down of my own accord. I am free to lay it down, free to take it up again; that is the charge

which my Father has given me" (10:1-18). These are words perfectly designed to answer the objection that the passion was unworthy of God. But St. John went further. Christ is the true pastor, and only those share His pastorate who enter the sheepfold by Him. "Believe me, he said, it is I who am the door of the sheepfold. The others who have found their way in are all thieves and robbers" (10:7). Here again, it seems, St. John is referring not only to the false pastors of the past, who had opposed Our Lord, but to the false pastors of his own time who would lead christians astray. Not to them did Christ say: "Feed my lambs . . . feed my sheep" (21:15-17).

Towards the conclusion of the Gospel St. John himself tells us of his purpose in writing: "So much has been written down, that you may learn to believe Jesus is the Christ, the Son of God, and so believing find life through his name" (20:31). His is a book designed to engender faith, for it is by faith, first of all, that he becomes to us a Light, a source of Life, and our Shepherd. The Gospel is to a large extent the record of St. John's own birth and growth in faith. He was the "other disciple" who accompanied Andrew and spent a day with Our Lord (1:35-39). He was among those who witnessed the glory of Christ manifested at Cana, and so "learned to believe in him" (2:11). He, with the rest of the twelve, was subjected to the test of faith: "Would you, too, go away?" And he notes the beginning of treachery in the heart of Judas at that time (6:68-72). He delights to recall that he sat at the Last Supper "with his head against Jesus' breast," as befitted a disciple specially loved (13:23). He saw the events which took place on Calvary, and stops at that point in the narrative to remind us that "he who saw it has borne witness; and his witness is worthy of trust. He tells what he knows to be the truth, that you, like him, may learn to believe" (19:35). His faith was finally sealed when he ran to the tomb with Peter: "The other disciple, who had reached the tomb first, also went in, and saw this, and learned to believe" (20:8). It was a canon of Jewish historical writing that the author should not name himself, but allow the facts to speak for themselves. The historical books of the Old Testament had followed that practice, as had the Gospels and the Acts. While wishing to observe that norm St. John, nevertheless, had a very personal message to convey: his book was to be a record of himself and his faith. He has not mentioned his name, but, by the happiest

pseudonym in literature, has left a very personal record. Surely none is better suited to teach us than "the disciple whom Jesus loved," that we too "may learn to believe Jesus is the Christ, the Son of God, and so believing find life through his name" (20:31).

B. HEATHER.

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SHORT NOTICE

THE ROOTS OF THE REFORMATION, by Karl Adam (Canterbury Books). Sheed and Ward, London, 1957. 95 pp. 3/6.

This book is a reprint of chapters from the author's book, *One and Holy*, and it is most useful to have them in paper-covered form. There are three parts in the book: *Weakness in the Church, Luther, The Central Question To-day.* Karl Adam gives a brief but suggestive picture of the weakness in the Church from the time of Gregory VII, the Avignon popes, the Great Schism up to the Renaissance popes: "Worse still was the conduct of Alexander VI, stained with murder and impurity, and the demonic lust for blood and power of his son Cesare Borgia. Then came the burning of the Dominican Savonarola at Alexander's orders. . . ." (Karl Adam quotes as his authorities the well-known historians Biklmeyer and Lortz, but the terrible end of Savonarola was not the Borgia Pope's sole responsibility).

Hence there were abuses, superstition and relic-mongering: "We kiss the shoes of the saints and their dirty kerchiefs while we leave their writings, their holiest and truest relics, to lie unread"—thus Erasmus (and it is strange to find Karl Adam quoting without reserve that eminent Churchman, Erasmus). Therefore Luther came. Here the author shows very cleverly how Luther's evolution came from his own experience. He who might have been the desired reformer, became a revolutionary, applying his own internal crisis to the world at large.

Karl Adam in the final section seeks a solution for the divided state of Christianity. He urges Catholics to approach the problem with great charity, remembering the former weakness in the Church that demands penance on their part, though of course there must be no attempt to compromise as regards the faith.

The little book is a most thoughtful one.

T.V.

Notes

A NEW THEOLOGICAL SERIES

In the year 1954 the Holy See graciously honoured St. Patrick's College, Manly, by elevating its teaching staff into a canonical Faculty of Theology with power to confer degrees. This important event, which is destined to have a profound effect on the cultural life of the Church here, gave great pleasure to the Australian clergy, particularly to the alumni of the Sydney Seminary. The first literary fruits of the new faculty have now appeared in the form of an important theological treatise, published in Latin by the Dean of the Faculty and Professor of Dogmatic Theology, the Reverend Thomas Muldoon, S.T.D.[1] It is the first volume of a series of proposed texts designed to cover the whole field of Dogmatic Theology. The present volume limits its treatment to the tract De Deo Uno.

We consider that this introductory volume is a text-book of first rate importance to the Australian Church. The theses that are expounded are of great apologetic value to the Church's mission here, and the breadth of scholarship and the clarity of exposition found in this work not merely reflect great credit on the author, but are an indication of the high standard of the Theological Faculty at Manly. The author did not attempt to clothe his doctrine in Ciceronian Latin or in the ponderous Teutonic form so often met with in text-books. Australian students will be grateful to him for this. The Latin breathes the warm and direct personal touch of an Australian lecture hall and will be readily followed by the average student.

The treatise is divided into three major parts, the first of which deals with the fundamental problem whether or not we can attain to the knowledge of God by unaided human knowledge, and the kinds of knowledge of God man enjoys. The author's treatment of the problems outlined in this section follows the traditional lines, involving the use of the sources of revelation and the light of philosophical reasoning. He reveals himself in this section as a very sound metaphysician as well as a widely read theologian.

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[1]THEOLOGIAE DOGMATICAE PRAELECTIONES Quas Habebat THOMAS MULDOON, S.T.D., in scholis Facultatis Theologicae Sydneyensis. VOLUMEN I. DE DEO UNO. Officium Libri Catholici, Romae. 1958.

It seems to us, however, that the latter portion of the first section, which deals with the Beatific Vision of God, is not in its logical place here. The author's treatment involves the concept of the supernatural order, which will surely be treated in a later volume. Hence he is compelled to take for granted many truths yet to be established (p. 134). However, his anticipation gave him an opportunity of expounding his personal opinion on one of the sharply controverted minor questions concerning man's elevation to the supernatural state. The question concerns the exact nature of man's natural desire for the Beatific Vision as treated by St. Thomas. Our author maintains (with convincing argument, we think) that this desire is an innate tendency of man's intellect for the intuitive vision of the Divine Essence, not an elicited desire of the will following his knowledge of God. This innate desire does not pertain to pure human nature, but to the concrete individual on his elevation to the supernatural order. Dr. Muldoon had expounded this thesis at considerable length some years ago in the pages of the Australasian Catholic Record. We imagine that this is the section of his volume which is most likely to draw the fire of critics, for a veritable library of opinions has been built up around this speculative question.

The key section of the work is undoubtedly the second part, in which the author examines the traditional proofs for the existence of God. Before we are presented with a detailed examination of St. Thomas's five ways we are treated to a first rate introduction on the validity of causation, so vigorously impugned ever since its rejection by Hume and Kant. Modern Catholic philosophers have generally felt that it is a much more difficult task to prove the existence of secondary causes than it is to prove the First Cause. The present reviewer confesses that he felt a little dismayed when he found that the author began his treatment of the problem by a clear exposition of the psychological argument for causality, based on man's internal consciousness of causation. This is a popular modern approach to the problem, but it is not a conclusive argument, for the transference of our own internal experiences to the outside world of being could lead to the concept of a world built in our own image. However, further reading removed all cause of dismay on this point. The author is too sound a metaphysician to advance a psychological argument as the basis of his demonstration of God's existence. He advances it only to show that the notion of

cause is admittedly a universally experienced concept, but proceeds immediately to prove that it is a law of our minds because it is a law of being, and thus has an ontological value. He devotes considerable space to his demonstration that the principle of causality, if not a primary principle of human reason, is at least deduced directly from the principle of identity through the principle of sufficient reason. Causality is thus the application to the real world of a clear deduction from a primary principle of human reason and needs no proof because it is self-evident as soon as it is expressed. All this is well done and is reminiscent of Father Garrigou-Lagrange's painstaking examination of the same problem.

The author then passes on to his exposition of the Five Ways by which St. Thomas claims God's existence can be proved through the light of human reason. The proofs of St. Thomas are, of course, presented in terms of the physical theories of his time, and are stated in a simple manner suited to the mentality of "beginners," as he himself warns us. Dr. Muldoon does not allow the famous arguments to be fossilized in the physical and scientific outlook of any epoch, but places their thought in its true metaphysical setting in the light of St. Thomas's general ontological system. His commentary on the Five Ways is clear and up-to-date, offering applications of his master's reasoning to the errors of contemporary thinkers. In his treatment of the second Way we think that the author might have made effective use of St. Thomas's metaphysical analysis of finite being as such. The master considered finite things to be metaphysically composed of really distinct principles in the line of being, namely, essence and existence, and therefore they demand the Ipsum Esse Existens as their ontological cause, independently of any series of subordinate causes, which do not create the being of their effects. We note with pleasure that, in his treatment of the fourth Way, he regards Beauty as a transcendental property of Being, and considers this fourth Way to be a true argument from causality.

There is a short appendix to the author's excellent treatment of the quinque viae in which he briefly advances evidence for God's existence from the moral law obliging our consciences, the unquenchable desire for happiness, and from the epistomological law of man's concepts. These are not truly metaphysical arguments, though they may have a certain persuasive value for

some minds. The brevity of the author's treatment of these arguments indicates that he is not very seriously concerned with them. They do not add much value to his really fine metaphysical analysis of the reasoning of St. Thomas.

The second part of Dr. Muldoon's treatise had remained almost exclusively in the realm of metaphysics. But in the third part he treats of the essence and the attributes of God, and so he freely calls upon the voice of the teaching Church as the arbiter of theological truth, and reason takes on an ancillary role. This section examines successively the traditional attributes of the Deity, and dutifully follows the modern Thomistic line in its treatment. There is little of a controversial nature in this portion of the work, but the author's clear presentation in the form of a statement of the problem, a thesis and its exposition along the customary lines of theological proof is attractively done.

The final chapter of this third section of the treatise deals with the operative attributes of God, knowledge and will. In this section there are, of course, wide fields of debate amongst theologians. The author devotes a good deal of space to the famous problem of how God knows conditionally future events, and expounds the various theories with clarity and fairness. He himself is a firm supporter of the conservative interpretation of St. Thomas's thought, and he will not even have any truck with Monsignor Parente's attempt at an eclectic solution of the old problem. The same loyalty to his school colours his treatment of the problem of predestination.

We are delighted to welcome this excellent volume of Introduction to Dogmatic Theology. Its high scholarship and vivid presentation will undoubtedly gain for it a popular place in the theological seminaries of our country and much further afield. The volume is published by the Catholic Book Agency of Rome, and the printing and general set-up are all that could be desired.

† JUSTIN D. SIMONDS.

Book Reviews

A NEW CREATION, by August Brunner, S.J., Burns and Oates, London, 1955. 143 pp.

In this book Father Brunner takes up the defence of the religious virtues of poverty, chastity and obedience, and shows how they lead to an enrichment of human personality, to the perfection of man, as man. At first sight this seems to involve the defence of a lost cause. How can the surrender of property, marriage and freedom lead to anything except impoverishment and the loss of self? But the final verdict can be passed only after an examination of the true nature of Christian perfection.

To be a Christian means to be a disciple of Christ. That complete submission which the creature owes its creator has become through God's love, revealed in his Son, a self-surrender in love. Only by an apparent loss of self can the Christian find and fulfil his real self. The great realities of life, earthly goods, the relation between the sexes, human liberty, must all contribute to this growth in selfless love and to the maturing of the Christian soul. It is only through the Cross that man can attain to the Resurrection. The Christian life is an unconditional surrender to God.

These ideas are worked out in detail in the course of four chapters which develop the following themes: the meaning of the Christian life; possessions and poverty; marriage and chastity; freedom and obedience. The entire work is characterised by a deep psychological insight into the nature of man, his needs, his fears and his fulfilment. At times the going is rough; but this is a book which has much to offer the thoughtful reader who desires a theological basis for the Christian life.

C.T.

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PRAY THE MASS, a text-book on the Mass, by Right Rev. Monsignor John T. McMahon. Pellegrini & Co., Pty., Ltd.

"We must bring together in the august Sacrifice of the Blessed Eucharist, the act of immolation made by the priest with that of the faithful, so that they too may offer themselves up as a living sacrifice, holy pleasing to God." Monsignor McMahon seems to take these words of Pius XI as his model as he sets out to help students of "post primary classes" gain a greater appreciation of what the Mass is, and how it should affect their lives. Believing firmly in St. Augustine's saying, "If Faith is not charged with thought it is nothing," the author, by analysis and explanation, seeks to strengthen his pupils' faith in the Sacred Mysteries.

The book is divided into four main parts. The pupil first acquires a firm notion of Sacrifice. Then he considers the sacrifices of the Old Testament and what their value was for the Jews.

With these notions firmly in mind the pupil passes on to the next section. Here, the sacrifice of the New Law is explained to him. The emphasis is placed on Our Lord's institution of the Mass—Christ's tremendous act at the Last Supper and on the Cross.

Having gleaned these wonderful notions the pupil is exhorted to realise the part he plays in this tremendous act. To help the student further, the Mass is analysed and the actions of the priest are concisely explained.

A final section is devoted to suggestions that must incite the pupil to meditate and pray the Mass throughout each day.

Because of its clearness and the forceful sincerity of the writer the student of the post-primary class will gain a greater appreciation of the Mass. This book would also be suitable for members of youth organisations as a handbook for discussion groups.

M.B.

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A GUIDE TO THE CITY OF GOD, by M. Versfeld. London, 1958. Sheed and Ward. xii + 141 pp. 10/6.

The author of this book writes in the preface: "For some years I have lectured to university students on *De Civitate Dei* and have always found the course a success. Augustine opens a vast and rich world to the mind. . . ."

The book is academic. The reader who takes it up with the noble desire of reading *De Civitate Dei* must be prepared to study, as Professor Versfeld's students have. After some practical advice on the reading necessary to situate the Augustine in his age, the author says the beginner should omit the first ten books of *De Civitate Dei*, which deal with the question why did Rome fall to Alaric in 410 A.D.? Was it because Rome had deserted the gods of Rome? Naturally Augustine had his answer to this question, but the first ten books are of historical interest.

From Book XI, St. Augustine begins his examination of the two cities: the City of God and the *Civitas terrena*. The *City of God* is the society of those who love God, just as, as St. Augustine says elsewhere, if we admire an actor, we are fond of all who applaud the actor, and we constantly seek new admirers for him. So we love in other people the love with which they love God. "Augustinian scholars," the author writes, "frequently say that Augustine could not plan a book. It is true that he has a burning mind which flares up on all sorts of subjects, but the greater outlines of the *De Civitate Dei* are clear, and the great guiding ideas are firm and profound. Boox XI, in spite of its scattered appearance, is a mine of the latter, and its development is clear." What does the *civitas terrena* mean? It means the low or fallen city. Are the two cities distinct? In this life they are intermingled.

When you go to a strange city, how helpful is a guide book.

It does not exempt you from visiting the sites; it cannot take the place of strolling about a city, getting personal impressions. So, likewise, Professor Versfeld's Guide will help anyone who decides to find out for himself what St. Augustine said in *De Civitate Dei.* (Of interest, the *Loeb Classical Library* has begun the publication of the *De Civitate Dei.* The Latin text is given, accompanied by an English translation with notes. The first three books have appeared: *St. Augustine. The City of God Against the Pagans,* London, Heinemann, 1957.)

T.V.

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ST. AUGUSTINE (MEN OF WISDOM), by H. Marrou. London, 1957. Longmans. 191 pp. Illus.

Are you going on a plane trip this summer? Have you a train journey of a few hours to make? If so, then take this book. It is said that Thomas Huxley boasted he had torn the heart out of Suarez on a summer's afternoon at a Scottish University. Monsieur Marrou's little book hardly pretends to do that. He sets out to describe the life of St. Augustine of Hippo (354-430), the moving life of a man which has haunted the minds of men through the ages. Then Monsieur Marrou selects passages from the works of the great African: *De Civitate Dei,* the *Confessions, De Trinitate.* . . . A feature of the book (and of the series *Men of Wisdom,* which already includes *St. Paul* and *Buddha*) is the superb illustration: photographs of Hippo Regius, its ruins, of early printed editions of Augustine's works, of the portraits of St. Augustine as imagined by the artists of all ages, of Jansenius, Saint-Cyran and the people down the centuries who have been influenced by the Bishop of Hippo. When you get off the plane or train, I think you will thank Monsieur Marrou, even if with more humility than Huxley had, you will feel that not all the genius of the African can be crammed into few pages, yet the book you read on such a trip will remain vividly in your memory.

T.V.

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MERCY UNTO THOUSANDS, Sister Mary Bertrand Degnan. Browne & Nolan Ltd., Dublin, 1957.

Under this arresting title is unfolded once more the life of Mother Mary Catherine McAuley, Foundress of the Sisters of Mercy. The book is well bound and printed and has an attractive dust jacket, featuring in a stained-glass window a portrait of Mother McAuley. There are three hundred and forty-seven pages of text and about thirty-three of reference notes and a number of good photographs.

It is a reliable, well documented chronicle of the life of Mother Catherine and of the spread of the Congregation during her lifetime.

We follow the remarkable life story of Catherine McAuley from the happy babyhood when she was conscious of the "crisp beauty of her young mother, the great, gentle compassion of her father, the warm affection of her small sister," through the series of ups and downs of childhood and teenage, where circumstances of dire poverty and bleak Protestantism would have crushed the spirit of one less dauntless, to that extraordinary reversal of fortune that made her heiress to what would be an equivalent in our money, today, of £400,000. Thus at the time of mature and attractive womanhood, Catherine would have been an acknowledged leader of fashionable Dublin. The story, written in simple, factual, narrative style, with a happy freedom from pious platitudes, reveals the working of Divine Providence in the wonderful gift of Faith that carried Catherine through the strongly anti-Catholic atmosphere of early nineteenth century Dublin, when her nearest and dearest had taken the contagion of error and bigotry. We see the animating charity that turned her generous, loving heart from the gay social life of her time, when "balls, card parties . . . horse-racing, hunting, bowls . . . and the whole gay dance included enough drinking and gambling to ruin scores of reputations and sink countless fortunes" to the "poor, the unprotected, those in moral danger, the sick, the imprisoned." "I would rather go hungry than that the poor should suffer want," she said. On that principle then, it is little wonder that the forune bequeathed to her soon whittled down to a mere subsistence level. The story of the devoting of this fortune to the organising of her charities, and to the totally unexpected denouement in the foundation of a religious institute make a glorious chapter in the social history of the English-speaking world.

Catherine—Mother Mary Catherine McAuley—lived only ten years after the foundation of the Congregation of the Sisters of Mercy. Yet during those ten years the Congregation spread rapidly and today it is the second largest Congregation of religious women in the world. Through those busy years Catherine remained the loving, gracious woman, whose sanctity overflowed in that final testimony of self-abnegation that rose from her dying lips as she looked at the Sisters gathered round her bedside. "The Sisters are tired. Be sure they have a comfortable cup of tea when I am gone." And with this loving thoughtfulness, a great and saintly soul left her now numerous Community to carry "mercy unto thousands."

It is with this incident that the book closes. The author, a Sister of Mercy of the Albany Diocese, U.S.A., does not intrude her own personality or views; she gives us the facts and lets us draw our own inevitable conclusions as to the sanctity of the foundress and the greatness of the Congregation she founded. Perhaps, at times, we feel the weight of the documentary evidence, but we must admit the thoroughness of the author's investigation of background material and original sources.

One senses that the book was a labour of love—Sister Mary Bertrand's contribution to the cause for the beatification of a noble and saintly woman of whom Father Daniel Lord, S.J., said: "The permanency of her work and the deeds she taught her Sisters to do are her constant canonisation."

"Mercy unto Thousands" will be a welcome addition to the libraries, not only of the fifteen hundred Convents of Mercy scattered over the world, but to those of every Congregation whose members look to the great apostles of Charity for inspiration in their own living of the second great Precept.

S.M.G.

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ST. VINCENT DE PAUL, by M. V. Woodgate. Browne & Nolan, Dublin, 1958, 12/6.

This biography of the "Apostle of Charity" is a welcome addition to the lives of the Saints that have appeared in modern times. It is a comparatively short life, written in attractive style, and is thoroughly authenticated. As indicated by the author in a brief prefatory note, it is a compilation made from the published Letters and Conferences of St. Vincent, from earlier histories and biographies and, most of all, from the great life of St. Vincent by one of his own sons, Father Pierre Coste, C.M. The author's acquaintance with the respective historical period and its religious movements is shown by her earlier work on Father Charles Condren and on the nun Jacqueline Pascal and her gifted brother. It is precisely this knowledge of the background of St. Vincent's heroic life that enables her to portray the man and his work in true perspective. The chronology, however, could be more abundant and more clear.

We find briefly sketched the main outlines of the saint's early life, his peasant birth, his occupation as a shepherd boy, minding his father's cattle, his studies at Toulouse, his early ordination to the priesthood, his two years in Moorish slavery at Tunis, and finally his escape with his converted master.

Monsieur Vincent, the young priest—not so much a saint in those days—arrived in Paris in 1609 and almost immediately came under the influence of the saintly Pierre de Berulle, afterwards Cardinal de Berulle. He then began "like a giant to run his way." From de Berulle he learned—in the words of the author—"a personal identification in all things with the Son of God." He who ruled so many things and people was ruled himself exclusively by the Redeemer whom he loved. To do God's will became his one, his only aim in life. As he said on one occasion, "Perfection! Is it not a loving sweet union of the will with that of God?" In obedience to that will, as manifested by the counsel of his director, he entered what he regarded as a Gilded Cage. He accepted the post of Chaplain-Tutor to the noble family of de Gondi. Here he remained—with one brief, welcome respite for 12 years, at the end of which time, on the death of Madame de Gondi, he was able to escape. At the age of 44 Vincent was his own master at last.

In the following chapters, the reader is provided with an excellent summary of the many great works the saint accomplished. In 1625, was laid the foundation of the Congregation of the Priests of the Mission to carry on the work of evangelising the poor, the poor especially in country districts—and the training of priests in Seminaries. Eight years later, with the collaboration of St. Louise de Marillac, came into existence that wonderful army of religious women known as "Daughters of Charity," whose spirit is the greatest monument that even such a unique hero of charity as St. Vincent could have to perpetuate his sainted name. The chapter dealing with the "Sisters of Charity"—their training, spiritual and otherwise—is the most interesting in the whole book, for the light it throws on the character of the saint himself.

Vincent's appearance at court and his good influence as a member of the Council of Conscience, brings him and us into contact with the two Cardinals whose names successively hold such a prominent place in French history, Richelieu and Mazarin, both statesmen and politicians rather than churchmen. And since the good of the Church was involved in the Council's decisions, they found in the shabbily-dressed priest a determined opponent of all unscrupulous schemes. Mazarin made no attempt to hide his hostility—heaping bitter ridicule on the saint. Vincent went on his way unmoved.

In a further chapter, the saint's distinguished service to the Church in the battle against Jansenism is outlined. The Jansenists saw in Vincent their most merciless opponent and hated him as such. "As St. Ignatius and his Society were raised up by God to combat Luther and Calvin," it was said, "so were Vincent de Paul and his Company raised up for the battle against Jansenism."

It is, of course, as the "Apostle of Charity," the "Father of the Poor," the name of St. Vincent is held in veneration. His organising genius brought organised charity in a new and unique way into the life of the Church. He had clear insight into the truth that to bring comfort and relief to those, weighed down with every form of misery, is to minister to Christ Himself. He saw Christ in His suffering members; He loved God in man and so gave Charity its true meaning. A fuller treatment by the author of this aspect of the spirit of the saint would have been appreciated.

A book we recommend highly for priests and layfolk alike.

M.H.

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LOVE THE LORD THY GOD, by Louis Colin, C.SS.R. translated by Donald Attwater. London: Sands & Co., 1956. 240 pp. 16/- stg.

The author of this book is a French Redemptorist whose books have been widely read in his own country; but he has not always been fortunate in his English translators and

publishers. The book under review is an exception to this criticism, both translation and publishing leaving nothing to be desired. The fly-leaf tells us that the copyright was taken out by the Newman Press, U.S.A., in 1956.

Such a vista of richness and complexity opens out before us as we read the title that we are daunted by its immensity. It is with a feeling of reassurance that we learn in the Introduction by the author that the book makes no claim to originality in either matter or manner. "It is hardly more than a commentary on, and sometimes a paraphrase of, the pertinent writings of Thomas Aquinas, Alphonsus Liguori, Francis de Sales and John of the Cross." The author is also well-read in the French Christian classics, and his quotations from Bossuet, P. Condren, Lacordaire, Charles de Foucauld and many others will be read with pleasure by all readers, even by those who are meeting these masters for the first time. How penetrating they all are, we may judge from one of the many observations culled from Bossuet's sermons: "God has put something into creatures whereby they may return to their Source and be re-united with their Maker: that something is Love, *the spirit of return to God.*"

Several passages from Charles de Foucauld take us back to the Scripture—a sure mark that he is guided by the Holy Spirit in his writings. When we read as a directive for growing in the love of God the hermit's resolution: "All my resources must be set apart for God," we at once think of the psalmist's resolve: *I will keep my strength for Thee.* Read somewhat in this manner, Pere Colin's book is a valuable preparation for mental prayer. His own experience as a master in the spiritual life leads him to write many helpful pages. He insists that those, who have set out on the ascent of the ladder of Love, should despise sentimental effusions, esteeming rather the spirit of conformity to the divine Will and a spirit of sacrifice. Love in its perfection means heroism, and "heroic hearts are scarred hearts."

M.O.

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LET DONS DELIGHT, by Ronald Knox. London, 1958 (fourth impression). Sheed and Ward. 280 pp. 12/6.

Twenty years have passed since Monsignor Knox wrote this book in the sad, fateful year, 1939. The Common Room of an imaginary college at Oxford, Simon Magus, is the scene of these conversations at critical moments for religion, ranging from 1588 to 1938. Dons gather in the Common Room when the Armada was hinted at; they talk in 1638 when Charles I was in conflict with parliament; another generation discusses quietly, with inevitable prophetical errors, the great events of 1688 and 1738; successors debate the state of France in 1788, the Oxford Movement in 1838 and the scientific advance of 1888.

Only an Oxonian could have caught the spirit of Simon

Magus; only a writer of acute literary sensitivity could reproduce the different styles of the dons through the centuries. There is always a fascination about old rooms, particularly when still in life and used for a common purpose, and Monsignor Knox has caught this charm with delicacy. Whether the dialogue form adopted by the writer was the right one is debatable, as it can be argued that it produces certain longueurs. The Knoxian wit is ever there to light up the most arid discussions, for example, an old Fellow who had trimmed his sails frequently in his career to catch the prevailing theological breeze idly wonders what words follow the *Orate Fratres.* It will be interesting to see the impact that this twenty-year-old book has on fresh readers. The new editions of Monsignor Knox should prove attractive, and collectors of books—collections that are beginning—should not miss them.

T.V.

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LITERARY DISTRACTIONS, by Ronald Knox. Sheed & Ward, London, 1958. 232 pp. 15/-.

Mr. Evelyn Waugh, Monsignor Knox's literary executor, has done great service in collecting Ronald Knox's stray literary studies. There is something for everyone in this book. Ronald Knox was a brilliant boy superbly educated. His Eton was the Eton so lovingly described by Maurice Baring and Shane Leslie (for does not Knox figure as *Ullathorne* in Leslie's book, *The Oppidan,* replying superbly to a master's warning of the dangers in reading Shaw: "I never read a modern author a second time"?) where most worked at games, leaving the precious few to read in fury. Will Knox be remembered? I suppose his fame will rest on his translations of the Bible which occupied his later years, and, too, on *Enthusiasm,* though there Bremond moves over the scene. His brilliant satires will suffer from the passing years as the situations and persons grow dimmer in the minds of men. In James Gunn's painting of Belloc, Chesterton and Baring, many of us would say Baring was out of place. He lacked punch; his characters wander aimlessly from party to party; none of his Catholics seem to be Catholic Action minded. Yet some have held rightly or wrongly that Maurice Baring alone was an artist, a Catholic Proust. Such people admire Belloc and Chesterton: they adore Maurice. So let the reader approach Knox's *Literary Distractions* with a mind bent on pleasure. How lovely it is to read a book for pure pleasure without any idea of overthrowing an opponent or even better a friend!

The chapters this reviewer liked were *The Man Who Tried to Convert the Pope* (a screamingly funny account of the *Journal of a Tour in Italy in* 1850 by George Townsend, D.D., Canon of Durham, who set out to convince Pio Nono of his errors), *Birmingham Revisited* (Knox's birthplace. It is Proustian), *The Barsetshire Novels* (i.e., Trollope's clerical

novels) and *French With Tears* (Why is it, he asks, that we spend years at school 'doing' French and end up in Paris saying: "Ou est le Cook's homme?" He gives further the story of a legendary priest who after hearing in confession a French stream of voluble accusation without understanding a word of it, said judicially: "Oh, vous avez, avez-vous?"). For other tastes there are essays on *The Greeks at Sea, Richard Crashaw, Dr. Johnson, Detective Stories,* G.K. and Belloc, of course, and lots of others. Did Knox waste brilliant talents on detective stories? Wit and charm light up the monotonous gloom, and whatever the final verdict, surely pleasure is something human.

T.V.

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